

FORM NO . 21

(Sec. Rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH. HYDERABAD.

O.A. No.

1445/1997

K.V. U. Krishnan & others

Applicant(s)

P. Anase & others

Versus

Respondent(s)

INDEX SHEET

Sr. No	Description of Documents & Date	Pages.
1.	Docket orders.	142
2.	Order Interim Order. 10-9-99.	51 & 52
3.	Reply Statement. 27-4-98 & 9-9-99.	31 to 36 & 44 to 50
4.	Rejoinder 7-9-99.	37 to 43
5.	Orders in (final orders) 29-9-99.	53 to 60 to 60 to 174

Signature of dealing head
in Record Section.

Signature of S.O.

O.A. 1445/97

Date

Office Note

ORDER

30.6.99

This OA came up for consideration in view of the Advocate's letter dated 28.6.99. There are 40 private respondents. Out of which 20 private respondents the notices not served. The learned counsel for the respondents submits that the department may be permitted to do so through official respondent R-54. The learned counsel for the respondents submits that it will be done and 4 weeks time is required. Accordingly 4 weeks time is given. Necessary copies should be handover to the respondents counsel for transmitting it to R-54 for further serving the notices on the said 20 private respondents.

Jan'
(HBSJP)

(HRRN)
M(A)

Notice
thru Dept.
28.9.99

27.9.99

12555

Sir
Notices sent
thru Dept.
No communication
as to service of
notices on them
is received till
date

30/7/99

12/8/99
Left this OA
for orders on
23-
16-8-99

HBSJP
MLD

HRRN
MIM

Copy of source
received from
the Dept.
Placed in 'C' file

12555

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

J.A.No. 1445 of 1997.

K.V. U. Krishnan & 5 others Applicants(s).

VERSUS.

P. Anand & 5 others

(Respondents).

Date

Office Note

ORDER

28/10/97

Mr. K.S. Murthy, for the applicant and Mr. Phalguna Rao for Mr. T.R. Gopal Rao, for the respondents.

Notice before admission
List- on 21.11.97.

Je
HRSVP
M.S.

HERN
M.S.

21.11.97

Heard Sri K.S. Murthy, for the applicant and Sri Phalguna Rao for Sri S.R. Gopal Rao, - for the respondents. Reply is yet to be filed.

2. Admit. The applicant is permitted to take personal ~~and~~ notice to the private respondents.

Je
HRSVP

HARN
M.S.

Personal notice
Private respondents

CA 1445/97

Date

Office Note

ORDER

29-9-99

C.A. ordered accordingly
order on separate sheets.
No costs.

HBSP
M(5)

HARW
M(4)

av1/

2
OA 146/97


Date

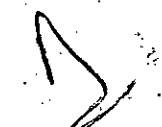
Office Note

ORDER

25/8/99

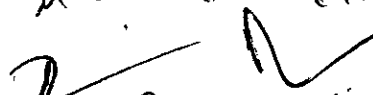
List it on 8/9/99
above admissions. No
further adjournment
will be given at the
request of any of the
parties.


HBS SP
M(S)


HARN
M(A)

8-9-99


List it on 10.9.99.

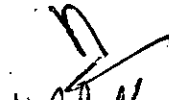

HBS SP
M(S)


HARN
M(A)

10.9.99

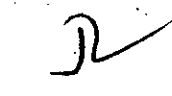
The Dy-Chief personnel of
[Mechanical] from the Head Office
should be present in the Court also
on 15.9.99. He should come fully
prepared.


HBS SP
M(S)

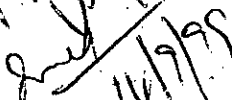

HARN
M(A)


15/9/99

List on 21/9/99.


HBS SP
M(S)


HARN
M(A)


14/9/99


10-12-14
Done (Date) M(A)
10/9/99

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: BENCH HYDERABAD.

ORIGINAL APPLICATION NO. 1445 OF 1997.

KV Unnikrishnan & Sona

(Applicants (as))

VERSUS

Union of India, Repd., By.

P. Anand & S. M.

Respondents (as (s))

The Application has been Submitted to the Tribunal by Shri

Shri K S. Murthy Advocate/Party-

in person Under Section 19 of the Administrative Tribunal Act. 1985 and the same has been scrutinised with reference to the points mentioned in the check list in the light of the provisions in the Administrative Tribunal (procedure) Rules 1987.

The application is in order and may be listed for Admission

No. _____

Scrutiny List

MA to be listed first

Authr:
DEPUTY REGISTRAR (JUDL).

18. Is the application accompanied IPO/DD, for Rs.50/-.
- 10.
11. Have Legible copies of the annexure duly attested been filed.
12. Has the applicant exhausted all available remedies.
13. Has the Index of documents been filed and pagination done properly.
14. Has the declaration as a required by item No. 7 of form, I been made.
15. Have required number of envelopes (file six) bearing full addresses of the respondents been filed.
16. (a) Whether the relief sought form arise out of single cause of action.
(b) Whether any interim relief is prayed for,
17. In case an Ma for connonation of delay in filed, it supported b an affidavit of the applicant.
18. Whether t is cause ben heard by a single bench.
19. Any other points.
20. Result of the scrutiny with initial of the scrutiny clerk.

May be numbered M.

Scrutiny Assistant.

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 2827/97

Report in the Scrutiny of Application.

Presented by en K S Murthy, Adv Date of presentation.

Applicant(s) K V Unnikrishnan & sons

4.9.97

Respondent(s) P. Anand & sons

Nature of grievance Seniority

No. of Applicants 6 No. of Respondents 5

CLASSIFICATION.

Subject.....Seniority.....No. Department Railways (33)

1. Is the application in the proper form;
(three complete sets in paper books form
in the two complitions). ay
2. Whether name description and address of all the
partied been furnished in the cause title. ay
3. (a) Has the application been fully signed and varified. ay
(b) Has the copies been duly signed. ay
(c) Have sufficient number of copies of the application
been filed. ay
4. Whether all the necessary parties are impleaded. ay
5. Whether English translation of documents in a Language,
other than English or Hindi been filed. ay
6. Is the application on time, (see section 21) ay
7. Has the Vakalatnama/Memo of appearance/Autorisation been
filed. ay
8. Is the application maintainability.
(U/S 2, 14, 18, or U/R. 8 Etc.,) ay
9. Is the application accompanied, duly attested legitable
copy been filed. ay

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

I N D E X

O.A.NO. 1445 OF 1997.

CAUSE TITLE K.V.U. Krishnan

V E R S U S.

P. Anose & son

SL.NO.	Description of Documents	Page No.
1.	Original Application	1 to 12
2.	Material papers.	13 to 25
3.	Vakalat	1
4.	Objection sheet	1
5.	Spare copies. 55 (fifty five)	
6.	Covers. 55	

7. Reply statement filed by M.V. J.R.
Gopale Rao M 27/4/98 RR 51 to 55

8. Rejoinder filed by Mr. K.S. Murthy Advocate
on 7/8/99

9. Reply statement filed by Mr. N. Rama Mohan Rao Advocate
for RR 1, 4, 5, 6, 8, 9, 11, 12, 14, 15, 16, 17, 20, 21, 23,
27, 30, 32, 36, 38, 40 and 46.

3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD BENCH
HYDERABAD

O.A.NO. 1445 OF 1997

Between:

K.V.Unni Krishnan and 5 others

...Applicants

a n d

P. Anuse and 54 others

...Respondents

CHRONOLOGY OF EVENTS

Sl.No.	Date	Description
1.	March, 1986	Written test by R.R.B for apprentice Fireman-A
2.	April, May, 1996	Interview etc
3.	1987	Applications & Respondents allotted to S.C.R. Vijayawada Division
4.	1988	Training at Zonal Training School, Applicants & Respondents
5.	May, 1989	All posted as Fireman-A
6.	18.6.1993	Seniority list of Fireman-A
7.	9.7.93	Representation by applicants
8.	21.11.1994	Revised seniority list as per IR&M Vol.I, Para 303(a)
9.	30.1.1996	Seniority as per RRB merit
10.	30.1.1996	Intimation to respondents stating that after Union meeting seniority is revised.
11.	6.2.1996	Representation by applicants
12.	March, 1996	Assurance to applicants about comprehensive list
13.	14.5.1996	New seniority list
14.	12.6.1996	representation by applicants

Hyderabad,
dt: -10-1997.


Counsel for Applicants.

To direct the respondents to settle the Seniority list prepared based upon the performance of the candidates in the test conducted at the end of the initial training by setting aside the Seniority list dt. 14.5.96, 30.1.96 etc.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD BENCH

HYDERABAD

O.A.NO. 1445 OF 1997

Seniority (21)

Between:

K.V.Unni Krishnan and 5 others.

and

P.Anose and 54 others.

Railways (34)

...Applicants

RAILWAY

...Respondents

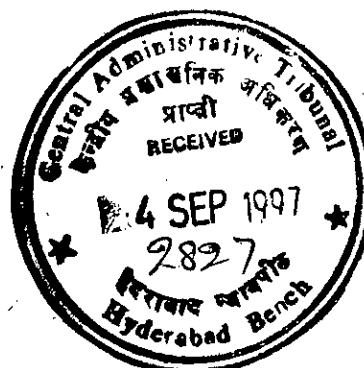
I N D E X

Sl.No.	Date and description of the document	Page Nos.
1.	Original Application	1 to 12
2.	Marks list of ZTS 5-4-88 (Annexure-I)	13
3.	Seniority list 18.6.1993 (Annexure-II)	14
4.	Representation by Applicants dt.9.7.93 (Annexure-III)	15
5.	Seniority list dt.21.11.94 (Annexure-IV)	16
6.	Seniority list dt.30.1.96 (Annexure-V)	17
7.	Communication to respondents dt.30.1.96 (Annexure-VI)	18
8.	Seniority list dt.14.5.96 (Annexure-VII)	19
9.	Representation dt.12.6.96 (Annexure-VIII)	20
10.	Representation dt.6.2.96 (Annexure-IX)	21
11.	Letter to respondents dt.28.2.94 (Annexure-X)	22
12.	Proceedings in Secunderabad Division dt:16.9.93 (Annexure XI)	23
13.	Comparative table of seniority (Annexure-XII)	24 and 25

Hyderabad,

Counsel for Applicants

dt: -9-1997.



Recd for
4897

5

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS

ACT, 1985

for use in Tribunal Office

DATE OF FILING

OR

DATE OF RECEIPT

BY POST

REGISTRATION NO.

SIGNATURE

REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A.NO. 1445 OF 1997

Between:

- 1.K.V.Unnin Krishnan, s/o.K.S.Velandi,
Aged 29 yrs, Good driver, Rajahmundry,
East Godavari District.
- 2.Satyanarayana, s/o.Ramulu, A/30 yrs, Goods driver
Bitragunta.
- 3.B.Vivekananda s/o.B.Radhakrishnagupta,
A/29 yrs, r/o.Bitragunta.
- 4.Abdul Agub Jani, s/o.Abdul Rahim, A/28 yrs,
Goods Driver, Vijayawada.
- 5.Ch.Satyanarayana, s/o.Rosahaih, Goods driver,
Rajahmundry, E.G.District.
- 6.N.V.V.S.G.K.Murthy, s/o.N.S.Murthy, A/29 yrs,
goods driver, Rajahmundry, E.G.District.

...APPLICANTS

And

- 1.P.Anose, s/o.not known, goods driver, ✓
CCC/L/BZA. VIJAYAWADA
- 2.CDA Glower, s/o.not known, goods driver,
CCC/O/RJY. RAJAMUNDRY

Page - 2

3. P.Saelesh, s/o. not known, goods driver,
CCC/L/BZA. VISAYAWADA
4. CH.V.Sridhar, s/o. not known, goods driver, ✓
CCC/TRO/BZA. Do-
5. SK.MD.Khaja Vali, s/o. not known, ✓
CCC/L/BZA Do-
6. D.S.K.Krishna Murthy, s/o. not known, ✓
goods driver, CCC/TRO/BZA. Do-
7. D.Srinivasa Rao, s/o. not known,
goods driver, CCC/TRO/BZA Do-
8. T.E.R.Stewart, s/o. not known, ✓
goods driver, CCA/TRO/BZA Do-
9. T.Tirupathi Swamy, s/o. not known, goods driver ✓
CCC/TRO/BZA Do-
10. T.R.Satesh, s/o. not known, goods driver,
CCC/TRO/BZA Do-
11. D.Srinivas, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do-
12. D.Ramakrishna, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do-
13. P.K.oteswara Rao, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do- *Ex 100*
14. D.Paul, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do-
15. G.Ratnam, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do-
16. SK.Mastan, s/o. not known, goods driver, ✓
CCC/TRO/BZA Do- *All are at VISAYAWADA*
17. Ab.Azeez, s/o. not known, goods driver, ✓
CC/O/BTTR BITRAGUNTA
18. K.Nageswara Rao, s/o. not known, goods driver,
CCC/O/BJY RAJAMUNDY
19. SK.J.Hussain, s/o. not known, goods driver,
CCC/O/BJY RAJAMUNDY
20. T.N.V.Sekhar, s/o. not known, goods driver, ✓
CC/O/BTTR BITRAGUNTA
21. D.Venugopal, s/o. not known, goods driver, ✓
CC/O/BTTR BITRAGUNTA
22. G.Meher Babu, s/o. not known, goods driver,
CC/O/BTTR Do-
23. G.Prakasha Rao, s/o. not known, goods driver, ✓
CC/O/BTTR Do-
24. P.V.Seshaiah, s/o. not known, goods driver,
CC/O/BTTR Do-
25. Ch.PratapKumar, s/o. not known, goods driver,
CC/O/BTTR Do-
26. J.P.M.Dais, s/o. not known, goods driver,
CC/O/BTTR Do-
27. D.Md.Vali Basha, s/o. not known, goods driver, ✓
CC/O/BTTR Do-
28. S.SitaRaman s/o. not known, goods driver,
CC/O/BTTR Do- *all are at BITRAGUNTA*

29. M.V.R.Mohan, s/o.not known, goods driver,
CCC/O/RJY. RATAMUNDRY
30. CH.S.RC.Sekhar Rao, s/o.not known, goods driver, ✓
CCC/O/RJY Do-
31. N.Surapa Raju, s/o.not known, goods driver,
CCC/O/RJY Do-
32. M.Venu, s/o.not known, goods driver, ✓
CCC/O/RJY Do-
33. N.R.Premanand, s/o.not known, goods driver,
CCC/O/RJY Do-
34. G.Murali Krishna, s/o.not known, goods driver,
CCC/O/RJY. Do-
35. K.Anil Kumar, s/o.not known, goods driver,
CCC/O/RJY Do-
36. P.V.Satyanarayana, s/o.not known, goods driver, ✓
CCC/O/RJY Do- All at RATAMUNDRY
37. N.Dayakar, s/o.not known, goods driver, ✓
CC/O/BTR BTRAGUNTA
38. G.Gopala Krishna Murthy, s/o.not known, goods driver, ✓
CCC/O/RJY. RATAMUNDRY
39. D.Bensely, s/o.not known, goods driver,
CC/O/BTR BTRAGUNTA
40. P.Srinivasa Rao, s/o. not known, goods driver, ✓
CCC/O/RJY RATAMUNDRY
41. V.V.L.N.Murthy, s/o.not known, goods driver,
ccc/O/RJY RATAMUNDRY
42. N.Arjuna Rao, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDRY
43. SK.N.A.Jani, s/o.not known, goods driver,
CCC/O/BTR BTRAGUNTA
44. Y.Babu Rao, s/o.not known, goods driver
CCC/O/RJY RATAMUNDRY
45. Ch.Naga Raju, s/o.not known, goods driver
CCC/O/RJY Do-
46. K.P.S.Narayana, s/o.not known, goods driver ✓
CCC/O/RJY Do-
47. G.Sunanda Kumar, s/o.not known, goods driver
CCC/O/RJY Do-
48. B.Ramakrishna, s/o.not known, goods driver,
CCC/O/RJY Do-
49. D.P.C.Rao, s/o.not known, goods driver,
CCC/O/RJY Do-
50. V.Narasinga Rao, s/o.not known, goods driver,
CCC/O/RJY. Do- All at RATAMUNDRY
51. General Manager, South Central Railway,
Rail Nilayam, Secunderabad.
52. Chief Personal Officer, South Central Railway,
Rail Nilayam, Secunderabad.

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53. The Divisional Railway Manager,
Vijayawada Division, South Central
Railway, Vijayawada.
54. The Senior Divisional Personal Officer,
Vijayawada Division, South Central
Railway, Vijayawada.
55. The Assistant Personal Officer (Mechanical)
South Central Railway, Vijayawada. ...RESPONDENTS

DETAILS OF THE APPLICATION

1. Particulars of the applicants: The name and description of the above named applicants is same as given in the cause title.

The address for service of all notices and processes on the above named applicants is that of their counsel
PHANIPATU
Mr. K.S. Murthy, Advocate, 12-2-828/A/45, Amba Gardens,
Mehidipatnam, Hyderabad-28.

2. Particulars of the respondents:- The address for service of all notices and processes on the above named are same as given above in the cause title.

3. Application made against the order:-

- i) Letter No. B/P.612/III/Rg/21 Vol.VI dt.30.1.96
- ii) Lr.No. B/P.612/III/Rg/DSL dt.14.5.1996
- iii) Passed by the Sr.Divisional Personnel Officer, Vijayawada.

iv) Subject in brief:- The B.A is filed praying this Hon'ble Tribunal to direct the respondents to revise the seniority list of Fireman/Diesel Assistants/Electirical Assistants in the scale of Rs.950-1500 in terms of para 303-a of IREM Vol. 1 of 89 edition and not as per the merit order obtained in the R.R.B.Examination and consequently set aside the seniority lists 30.1.96 and 14.5.96 as illegal, unconstittutional and arbitrary.

9

4. Jurisdiction of the Tribunal:- The applicants herein declares that the subject matter of represented O.A. is even the jurisdiction under Sec.14(1) of the Administrative Tribunals Act, 1985.

5. Limitation:- The applicants further declare that this O.A. is filed within the limitation as prescribed Sec.21 of the Administrative Tribunals Act, 1985 since the impugned order is dated 14.5.1996 and the applicants made representation on 12.6.1996 on which no orders have been passed.

6. Brief facts of the case:-

i) The applicants before this Hon'ble Tribunal are working as Goods Drivers in pay-scale 1350-2200 in Vijayawada Division of S.C.R. All the applicants herein are similarly placed and have got common cause of action and have been selected, trained and posted at the same time. All the respondents from 1 to 50 are also working as Goods Drivers in Vijayawada Division of ^{same} S.C.R. and have been selected, trained and posted at the time as that of the applicants. Both the applicants and respondents are governed by same set of service conditions and are under the same controlling authority i.e., Divisional Railway Manager, Vijayawada.

ii) The applicants and the respondents appeared for a Written Test conducted by the Railway Recruitment Board (R.R.B) Secunderabad in March, 1986. The applicants and the respondents had the minimum qualifications of S.S.C and all the applicants and respondents applied to the post of apprentice fireman-A. This test was conducted pursuant to employment Notice No.1/85 of R.R.B. After the written test, interview and psychological stress test were conducted by the R.R.B Authorities in April and May, 1986. The names of the successful candidates including the applicants as well as the respondents among others

Page - 6

were forwarded to the C.P.O S.C.Railway, Secunderabad for appointments. C.P.O. directed the applicants and the respondents to appear for a medical test and after that they were appointed as firemen-A (Apprentice). The applicants and the respondents were allotted to Vijaywada Division of S.C.R. in 87 and are placed at the disposal of Divisional Railway Manager, Vijayawada.

III) The applicants and the private respondents 1 to 50 have been sent for training in different batches for administrative convenience to zonal training school. As per the Clause 303 of Indian Railway Establishment Manual, revised edition 1989 in Chapter 3, the seniority of the candidates recruited through the Railway Recruitment Board or by any other recruitment has to be determined as per the provisions of the Chapter 303-a reads as follows:-

"Candidates who are sent for initial training to the training schools will rank in seniority in the relevant grade in the order of merit obtained at the examinations held at the end of training period before being posted against working posts"

The applicants and the respondents were sent to the initial training course at zonal training school (ZTC), Moulali, Secunderabad. After the completion of 2½ months training at ZTC, ~~and~~ ZTC Authorities conducted a written test and allotted marks and sent the marks list to all divisions. One such letter dated 5.4.1988 is filed as Annexure-I. This pertains to one batch of trainees only. The marks for other batches were not available and this Hon'ble Tribunal may pardon the applicants for not furnishing them. In this Annexure it is clearly stated that the candidates who have attended initial training at ZTC have been relieved after the completion of the training. After this training the applicants and the respondents 1 to 50 were absorbed and regularised and posted as Firemen-A in pay scale of Rs.950-1500 in May, 1989.

iv) The Senior Divisional Personnel Officer on behalf of D.R.M's Office, Personnel branch, Vijayawada published the seniority list of firemen in the payscale of 950-1500 of Vijayawada Division, as on 1.5.1993 vide Proceedings dt.18.6.93. Aggrieved by the seniority list the applicants and other similarly placed employees like that of the applicant submitted a representation on 9.7.93 complaining that the applicants were shown as juniors to the respondent even though they got higher marks in the test conducted at the end of initial training at Zonal Training Centre, Moula-Ali. The Authorities realised their mistake and calling for the relevant records from ZTC and seeking instructions from the S.C.R. Authorities as well as referring to the provisions of Indian Railway Establishment Manual, issued Proceedings dt.21.11.94. In the revised seniority list dt.21.11.94 it was clearly stated that the employees' position the seniority is based upon the marks obtained in the initial training course which they underwent at the Zonal training centre.

v) After one year, the authorities again published another revised seniority list dt.30.1.96. It was stated that the seniority of the apprentice firemen-A 87 batch would be as per the merit order obtained in the R.R.B. Examinations. Along with these proceedings dated 30.1.96, a proforma proceedings dt.29.1.96 was also issued stating that the revised list is being issued as per the result of the decisions taken by the Headquarters in the P.N.M. Obviously, the latest seniority list dt.30.1.96 was issued pursuant to the negotiations with the trade unions and not as per the rules and regulations of the Indian Railways. The change of the stand taken by the authorities is not attributed to any new rule, revised board instructions, or amended establishment code or manual but only as per the discussions with the trade unions giving a go by

to the rule of law. It is a well established principle of administrative law that when employees' seniority list is sought to be changed or revised, it must be based upon the relevant legal, prudent, reason and not as per the understanding arrived at with a trade union ignoring the rules and regulations and the Act.

vi) Aggrieved by the revised seniority list dt.30.1.96, the applicants gave a representation on 6.2.1996 bringing to the notice of the authorities, the provisions of para 303-a of I.R.E.M. Volume 1, 1989 Edition. A copy is filed herewith. The applicants and similarly placed employees were under the impression that they would be getting a reply from the authorities. The railway authorities did not issue any proceedings either accepting our representation or rejecting it. The authorities are duty bound to reply to the representations given by the employees regarding seniority list. The respondent authorities however took great pains in issuing proceedings dt.29.1.1996 informing employees like that of the respondents herein saying that their representation has been considered and for so and so reason their representation was accepted. The authorities should have informed the applicants whether their representation was either accepted or rejected. This shows the arbitrary actions of the respondent authorities. When the applicants made enquiries with the authorities they were informed that a revised seniority list (comprehensive) is being published in May, 1996 and our queries will be answered therein. The respondent authorities published another seniority list on 14.5.96. Even in this seniority list dt.14.5.1996, the respondent authorities did not take our representation dated 6.2.96 into consideration. As the applicants came to know about the seniority list in the month of June first week, the applicants filed another

representation on 12.6.96 to the respondent authorities bringing to their notice about the earlier representation in which the provisions of I.R.E.M. were mentioned. A copy of the said representation is filed herewith. Even after 6 months, the respondent authorities have not taken any steps but are going ahead to give promotions based upon the seniority list. The applicants and the respondents are at present working as goods drivers after getting promotions as shunter in 1996. The comparative statement of seniority of the applicants and respondents in different seniority list is tabulated, and filed. However, no fresh seniority list has been issued by the respondent authorities. Para No.303 of I.R.E.M Volume 1 Edition 1989 clearly states how seniority of employees who were recruited directly either by R.R.B or otherwise should be determined. Para 303-a deals with the employees who have to undergo ~~training~~. Para 303-b deals with the employees who need not undergo any training before their initial posting. This clearly states that the seniority list prepared by R.R.B would prevail only in the case of categories of employees who need not have to undergo any training before their initial appointment. The S.C.R.Authorities have arbitrarily directed the Vijayawada Divisional Authorities to prepare the seniority list of the direct recruitees based upon only R.R.B. Whereas directed the Hyderabad and Secunderabad Divisions to prepare the seniority list based upon the marks obtained by the candidates at the end of training at Z.T.C. The apprentice firemen-A who were recruited along with us by R.R.B but allotted to Hyderabad and Secunderabad Divisions have been placed at their respective positions in the seniority list based upon their performance in the test conducted by Z.T.C. The proceedings of the Secunderabad Divisional Railway Manager dt.15.9.93 are herewith filed. It is respectfully submitted that in 1976 &c., the previous batch of firemen-A recruited by Railway Service Commission,

the seniority was decided basing upon the marks obtained by the direct recruitees at the end of the initial training at the Z.T.C. before their appointment.

vii) The Railway Authorities recruit candidates directly after the test conducted by the R.R.B into various departments. The Assistant Station Masters, Commercial Clerks, Ticket Collectors, Traffic Apprentice etc. are sent to Z.T.C. for initial training before regular appointment. The seniority list of all these employees is prepared after considering the direct recruitees performance in the test conducted by Z.T.C. at the end of initial training. Thus, the railway authorities have discriminated against the applicants, and favoured the respondents by not referring to Z.T.C. ~~performance~~ but relying performance upon only R.R.B. Merit list. The action of the authorities in this regard is violative of Articles 14 and 16 of the Constitution of India.

7. Relief sought:-

MAIN PRAYER

In view of the facts stated above in para-6 the applicants herein pray that this Hon'ble Tribunal may be pleased to direct the respondents 51 to 55 to publish the seniority list of first firemen/diesel assistants/electrical assistants in pay scale Rs.950-1500 of Vijayawada Division of S.C.R basing upon the performance of the direct recruitees in the test conducted by Z.T.C. Moulali at the end of the initial training at the training school after setting aside the seniority list dt.14.5.1996 and 30.1.1996 after declaring them ~~as~~ as arbitrary and illegal and unconstitutional violative of Indian Railway Establishment Manual and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the interest of justice.

8. Interim Relief:-

Pending the disposal of the O.A. the Hon'ble Tribunal may be pleased to ^{revoke} direct the respondents 51 to 55 to proceed with further promotions and giving any benefits solely basing upon the seniority list B.P.612/III/2/Rg/Vol.VI dt.21.11.94 after suspending the seniority list dt.30.1.1996 and 14.5.1996 and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the interest of justice.

9. Details of the remedies exhausted:-

The applicants submit that inspite of their representation dated 12.6.1996 no action has been taken by the respondents, and no other statutory remedy is available to them except to file this O.A. before this Honourable Tribunal.

10. Matter not pending with any other Courts etc:-

The applicants further declare that the matter regarding which this O.A. is filed is not pending before any court of law or any authority or any other Bench of Central Administrative Tribunal.

11. Particulars of the Postal order in respect of the Application fee:-

- i) Number of the postal order: 904239210, 211, 212
- ii) Name of the post office : M.C.A Post Office
- iii) Date of the issue of postal order : 6-9-97 300/-
- iv) Post office at which payable : C.P.O. H-1D

12. Details of Index:

An index in duplicate containing the details of the documents to be relied upon is enclosed herewith.

13. List of documents:-

All the documents relied upon are filed herewith

duly indexing the same.


1. Submitt
2. Ch. Satyanarayana
3. B. Veeraranda
4. Anandappa
5. Ch. Satyanarayana
6. S. S. S. S.

Signature of the Applicants.

VERIFICATION

We, the above applicants ^{as stated} do hereby declare that the ~~statets~~ stated above in paragraphs 1 to 13 are true to the best of our knowledge, belief and information.

1. Submitt
2. Ch. Satyanarayana
3. B. Veeraranda
4. Anandappa
5. Ch. Satyanarayana
6. S. S. S. S.


Counsel for Applicants.

6. S. S. S. S.
Signature of the Applicants.

Annexure-I

South Central Railway

Office of the Principal
Zonal Training School,
Moula-Ali,
D/ 5.4.88

No.ZTS/673/Appl.Firemen 'A'

CMPE/SC:CEO(Trg.Cell)/SC,
DEMs (P)/SC/HYB, BZA, GTL,
Sr.DMEs(L)/SC:HYD/BZA/GTL,
Sr.DAOs/EG/HYB/BZA/GTL

Sub:-Initial course training for apprentice
Firemen 'A' in batch No.4 from 21.1.88
to 5.4.88 at ZTS/MLY.

The following Apprentice Firemen 'A' who have attended
Initial training at ZTS/MLY in batch No.4 during the period from
21.1.88 to 5.4.88 have been relived on afternoon of 5.4.88
after completion of their course with instructions to report
to you for further courses.

The details of leave /PTOs availed by the candidates are
furnished below against their names.

Sl.No.	Name (S/Shri)	Designation/Stn.	Divn.	Dt.of arrival
1.	K.L.Srinivas	App.F.Man ¹ /KZJ	SC	21.1.88
2.	S.S.Ramakrishna Prasad	Appl.F.Man/KZJ	sc	,,
	Leave on 14.3.88 availed one set of PTOs			
3	..			
4	.. to 22			
23.	D.Purnachandra Rao	App.F.Man/RJY	BZA	21.1.88
24 and 25				
26.	Chelli Satyanarayana	App.F.Man/RJY	BZA	21.1.88
32.	Chinta Satyanarayana	App.F.Man/RJY	BZA	21.1.88
45.	Dammidi Narasinga Rao	App.F.Man/RJY	BZA	21.1.88
59.	B.Vivekananda	App.F.Man/RJY	BZA	20.1.88
	(fifty nine only)			

Sd/---
(M.Raju)
Principal

Copy to KZA/RAILWAY/RJY:GTL

//true copy//

14 18
ANEXURE-II

SOUTH CENTRAL RAILWAY

No.B/P. 612/III/2/RG/Vol.VII.

Divl. Rly. Manager's Office,
Personnel Branch,
Vijayawada.

Dated: 18 June, 1993.

ALL CONCERNED.

Sub: Provisional seniority list of Ist Firemen/
Diesel Assistants/Electrical Assistants in
scale Rs.950-1500(RSRP) of Vijayawada Division
showing the position as on 1-5-93.

The provisional seniority list of Ist Firemen/Diesel Assistants/Electrical Assistants in scale Rs.950-1500(RSRP) of Vijayawada Division showing the position as on 1-5-1993 is sent herewith for notification of all concerned.

The seniority list is purely provisional and subject to interpolation of the 13 Ind Firemen who are seniors to some of the persons of the seniority list at a later date on expiry of the currency of non-recurring punishments debarring them from being promoted as Ist Firemen/Electrical Assistants along with their juniors. The seniority position assigned in the Annexure is, therefore, purely provisional subject to alteration.

Representations, if any, may be received from the staff within one month from the date of issue of this provisional seniority list and forwarded to APO/M/BZA by name with relevant particulars to dispose the same. The Representations received after one month will not be entertained.

Please note and notify and acknowledge the receipt of this provisional seniority list. All Shed/Depot Officials should give wide publicity among the staff by placing one copy of the seniority list in the Notice Board.

(S. TAMILCHOLAI)
APO(M)

/Sr.Divisional Personnel Officer/BZA.

Copy to DME/L, Sr. DEE/TRS, AME/L/RJY.
CTFR/BZA, TFR/BTTR, ALFR/GNT, BVRM.
LF/BZA, DKD, RJY, COA.
CEG Members/SCRE Sangh and SCRM Union.

Gvr.16/16.6(copies)

// The copy //

To
The Senior Divisional Personnel Officer,
South Central Railway,
VIJAYAWADA

Vijayawada/~~Rayachoti~~

Date : 09.7.93

Sir,

THROUGH PROPER CHANNEL

Sub : Provisional Seniority List of First Fireman/Diesel Assistants in the Scale of pay of Rs.950-1500 (RSRP) of Vijayawada Division objections - Regarding.

Ref : Your Proceedings No.B/P. 612/III/2/RG/Vol VII, dated 18.6.1993

I am now working as Diesel Assistant in the Vijayawada Division of the South Central Railway. I was directly recruited as Apprentice Fireman 'A' in the year 1987 as per the proceedings No.B/P/ 563/III/RG/Vol.II, dated 27.5.1987 and 6.7.1987 and after successful completion of apprenticeship for a period of 2 years I was absorbed in the regular working post of First Fireman in the grade of Rs.950-1500 (RSRP) as per the Proceedings No.B/P.563/III/RG/Vol.II, dated 3.8.1989 issued by the Divisional Railway Manager (Personnel Branch), South Central Railway, Vijayawada. Subsequently, I was redesignated as Diesel Assistant in the year 1990.

2. In the aforesaid Provisional Seniority List published by you on 18.6.1993 my ranking in the seniority list in the category of First Fireman/Diesel Assistant is shown at Serial No391..... I submit my ranking in the seniority list is not correctly shown and several of my juniors who were working as Fireman Grade-II and later promoted as Fireman Grade - I on adhoc basis are shown as seniors to me. The said seniority list is contrary to the mandatory provisions of the Indian Railway Establishment Manual.

3. I submit that the employees shown at Serial Nos.65 to 327 are wrongly shown as seniors to me in the category of First Fireman/Diesel Assistant in the scale of pay of Rs.950-1500 (RSRP). I submit that all these employees were only working as Fireman Grade - II when I was directly recruited as Apprentice Fireman 'A' in the year 1987. They were only promoted as First Fireman on adhoc basis while I was undergoing the Apprenticeship. As per the Rules and Avenue Chart of promotion, the posts of First Fireman should be filled up from the category of second Fireman on the basis of selection as the posts of First Fireman are selection posts. As per the para 215 of the Indian Railway Establishment Manual of the Selection Posts shall be filled up by positive act of selection made with the help of Selection Boards from amongst the staff eligible for selection. It is also stated in para 216 of the aforesaid Manual that adhoc promotion should be avoided as far as possible both in selection and non-selection posts and in the unavoidable circumstances, only it should be for a short duration of 3 to 4 months.

4. I submit that the employees shown from Serial Nos.65 to 327 in the Provisional seniority List were promoted on adhoc basis to First Fireman contrary to the provisions of the Indian Railway Establishment Manual and without subjecting them to the selection, their services were regularised with effect from 29.10.1992 deliberately misinterpreting the Circular issued by the Chief Personnel Officer. Their services are also regularised with retrospective effect contrary to the Rules. These employees cannot, therefore, be shown as seniors to me in the seniority list of First Fireman/Diesel Assistants.

5. I further submit that the employees ranking at Serial Nos. 65, 76, 126, 150, 207-A, 208, 209, 248, 249, 257, 258, 276, 286, 303, 311, 312, 314, 315, 317, 321, 322, 323, 324 and 327 are in fact promoted as First Fireman on adhoc basis subsequent to my absorption as First Fireman on regular basis and though their services are regularised from a date later than my absorption as First Fireman on regular basis, they are shown as seniors to me. This is contrary to the rules.

6. Interm of para 303 (a) IREM Vol. I 1989 Revised Edition the seniority of candidates recruited through RRB or by any other recruiting authority should be determined as candidate who are sent for initial training to training schools will rank in seniority in the relevant grade in the order of merit obtained at the examination held at the end of the training period before being posted against working posts. This aspect has not been taken care before assigning seniority in my case.

I, therefore, request you to consider my representation objectively and revise the seniority list by showing my ranking in the seniority list of First Fireman/Diesel Assistant above the employee ranking at serial No. 65 in the aforesaid seniority list and necessary action may be taken in this regard immediately after the expiry of the time for revision.

Yours faithfully

B. Vivekananda

Name : B. VIVEKANANDA Designation : DSC/ASST

Headquarters : BZA

Staff No : 311

LOCOTESTIAN
S. C. RLY. VIJAYAWADA

Vivekananda

South Central Railway

Divl.Rly.Manager's Office
Personnel Branch,
Vijaywada,
dt: 21.11.1994.

No.B/P.612/III/2/Rg/Vol.VI

All concerned,

Sub:-Revision of Seniority list of 1st FM/
Dsl.Assts/Elect.Assts in scale Rs.950-1500
(RSRP) who were appointed as Apprentices

Ref:-Seniority List of 1st FM/Dsl.Assts /
Elect.Assts published vide this office
letter of even number dt.18.6.93

In terms of Para 303 (a) of IREM, Vol.I of 1989 edition, seniority positions assigned to the diesel/Electrical Assistant Drivers from Sl.No.328 to 422 of the seniority list of 1st Fireman Diesel Assts/Electrical Assts in scale Rs.950-1500 (RSRP) published vide this office letter of even number dt: 18.6.93 are revised as they are based on the marks obtained in the Initial Training Course they underwent at ZTC/MLY. In cases where same marks scored by more than one, their names are arranged as per the merit order of R.R.B.

Representation, if any, with regard to their seniority positions may be sent to this office within one month from the date of issue of this letter. Representations received after one month will not be entertained. All shed/depot officials should give wide publicity among the staff by placing one copy of the list in the notice board duly obtaining their signature/initials against their names.

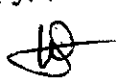
The above revision is provisional and subject to the outcome of O.A.NO.1143 of 1992 and 440/94.

Sd/--
(V.V.MUDALIAR)

APO/
/Sr.Divisional Personnel Officer,
Vijaywada.

Copy to: Sr.DEE/TRS, DME/P/BZA, AMR/L/RJY
Copy to : CCC/T/BZA CCC/L/BZA, CC/BTR
Copy to: CC/GNT/? DKD
Copy to: CEG Members/SCRES & S CRMU.

//true copy//



Annexure-V

South Central Railway

Office of the Divl. Rly. Manager,
(Personnel Branch)/Vijayawada.

No. B/P.612/III/Rg/21 Vol.IV

Dated: 30.1.1996

All concerned ,

Sub:-Revision of seniority list of IRFM/
Dsl/Elec.Asst.in scale Rs.950-1500
(RSRP) who were appointed as apprentice
Fireman 'A' in 1987.

Ref:-This office letter of even number dt.21.11.94

It has been clarified by COP/SC, that the seniority of the apprentice Fireman 'A' - 1987 batch would be as per the merit order obtained in the RRB Examination. As a result of the above clarification, the seniority order of the above batch of candidates published vide this office letter of even number dated 18.6.93 and 21.11.94 stands modified as cited in the Annexure.

Any representations with regard to this revision in the seniority list, could be send to this office within one week from the date of issue of this letter.

The shed incharges are advised to give vide publicity to this letter and representations against this revision of seniority if any, received from staff should be collected and send in a buch addressed to the undersigned.

Sd/-xxx dt.30.10.96
(H.SRINIVAS)

APO/M,

/Sr.Divl.Personnel Officer,
Vijayawada.

Copy to: Individuals
DME/W&O/BZA, Sr.DEE/TRD/BZA
,, CPCR, CTLC /BZA
,, Secretaries/SCRES & SCRUM

//true copy//



Annexure-VI

South Central Railway

Divisional Railway Manager's
Office (Personnel Branch),
Vijayawada, dt: 29-01-1996
30

Sub:- Representation against Seniority list of
IFM/Dsl.Asst./Elec.Assts in Scale Rs.950-1500
(RSRP) who were appointed as App.Firemen/A in
1987.

Ref:- 1.Revision of Seniority list of IFM/Dsl.Asst/
Elec.Asst. published vide this office letter
of even No. dated 21.11.94.
2.Your representation dated:

Your representation cited above, against the revision
of Seniority of the IFM/Dsl.Asst./Ele.Assts has been examined.
As a result of decision taken by Hd.Qrs. in the FNM, it has been
decided that the criterion for assigning of the seniority
will be the merit order obtained in the RRB Examination.
Accordingly, the revised seniority list of the 1987 batch
of App.Fireman 'A' has been published. Your seniority
position has now been correctly assigned vide Item No.
as per Hd.Qrs. decision.

Sd/-- 30.1.96
(H.Srinivas)
APO(M)
/Sr.Divisional Personnel Officer,
Vijayawada.

//true copy//

[Handwritten signature]

19

Annexure-VII

South Central Railway

Office of the Divl. Railway Manager,
Personnel
Vijayawada.

No. B/P.612/III/Rg./DSL

Date: 14-5-1996

All concerned.

Sub:-Provisional seniority list of I Firemen/
Diesel Assts./Electrical Assistants in
Scale Rs.950-1500 (RSRP) of Vijayawada
Division showing the position as on 30.4.1996

....

In compliance with judgment delivered by Hon' ble CAT/HYD on O. A. Nos. 1143/92, 440/94 and 57/94 the one-time dispensation in regard to the conduct of selection for the I Fireman/DEL Assts/Elec. Assts promoted on adhoc basis from 01-01-1986 to 09-10-90 and from June, 1992 to December, 1994 is obtained the provisional seniority list of I Firemen/Diesel Assistants/Electrical Assistants as on 30.4.1996 is prepared and circulated in the enclosure for notification amongst staff.

Representations, if any, received from the staff in one month's time from the date of publication of this list against the assignment of seniority, or any discrepancy in the particulars furnished like date of Birth etc. should be forwarded to this office with relevant particulars to dispose the same. Representations received after one month will not be entertained.

Please note, notify and acknowledge the receipt of this provisional seniority list. All shed/Depot officials should give wide publicity among the staff by displaying the copy of this provisional seniority list on the Notice Board.

Sd/---dt. 14.5.96
(H. SRINIVAS)

For Sr. Divl. Personnel Officer,
Vijayawada.

C/-Sr. DEE/IRS-OP/BZA, DME/W&O)/BZA for information please

C/-SEFM Union, SCRE Sangh

C/o. O.O. File.

//true copy//

[Handwritten signature]

From

K.V. LAKSHIKRISHNAN

SHR/RS/BZA

CCC/IO/TRO/BZA

Vijayawada,

Dt: 12/6/96

To

The Senior Divisional Personnel Officer,
South Central Railway,
VIJAYAWADA.

THROUGH: PROPER CHANNEL

Respected Sir,

Sub: Seniority List of DIESEL/ELECTRICAL ASSISTANTS in
Scale of 950-1500 (RSRP) - Regarding.

Ref: (1) Your Lr.No.B/P.612/III/Rg./DSL.Dt: on 14.5.1996
(2) My Representation Dated :

* * *

While inviting your kind attention to the references cited above, I would like to submit the following few lines for your kind consideration as follows:


When the seniority of DSL/ELEC. ASSTs was published under your letter No. B/P.612/III/Rg.21 Vol. IV dated 30.01.1996. I had submitted the representation protesting against the seniority assigned to me vide my representation Ref.No.2. Unfortunately I have not been favoured with reply so far.

Now, once again the seniority of DSL/ELEC.ASSTs has been published under your letter vide Ref.No.1 above without considering the objections raised by me. In my above representation I submit that a grave injustice has been done to me. Hence, I request you to you Sir, to consider the points raised by me in my earlier appeal indicated Ref.No.2 of this representation. So, that I am spared of the unpleasant tasks of knocking at the doors of CAT/HYB.

'Thanking You, Sir'

Encl: Previous Representation
for your kind ready information.

Yours faithfully,


(K.V. LAKSHIKRISHNAN)
//The CTS

2123

ANEXURE - IX

FROM

B. VIVEKANANDA

To: AMX T. No E. 308

cc/BTTL

Vijayawada

BITRAGUNTA,

Date: 06/03/96...

To

Sr.DPO/BZA

"THROUGH PROPER CHANNEL"

Sir,

Sub: Seniority of DSL/ELECTRICAL ASST. Violation of norms as well as solemn assurance given to the Hon'ble CAT HYD.

Ref :- 1. Your Letter No. B/P/612/III/RG/21/VOL.IV, Dt ²⁹/₃₀ -01-1996
2. Your Letter Even No. dated, 21-11-1994.

While inviting your kind attention to the references cited above, I would like to submit the following few lines for your kind consideration.

Initially when the issue of Finalising the Seniority of DSL/ELC ASST. I had some apprehensions and made representation to your kind self. There upon your kind enough to finalise the seniority and publish seniority list under your letter cited under reference No. II Incidentally Sir, it is not Only my representation that was then considered, but the provisions of, the para 303 (A) of IREM, VOL.I were also taken in to reckoning. Now all of a sudden a totally new Seniority List has been published under reference No. I which deprives me the assigned position in the earlier Seniority List, the reason assigned for this drastic change is said to be a decision taken by HQ in the PNM. I submit that provisions of IREM are more sacred than the place of a recognised union.

The above apart the administration, in advertently or otherwise has gone back on solemn assurance given to Hon'ble CAT HYD during the pendency of OA NO. 440 of 1994. To a pointed question from the Hon'ble Bench. The Administration filed the Seniority List prepared in confirmative with para 303 (A) of IREM VOL.I. The case has eventually been decided in my favour. By changing this Seniority List, the administration I am afraid, has mislead the Hon'ble Bench.

In view of the facts narrated above, I request you Sir, to reconsider the entire issue and confirm the earlier Seniority Position. Which was in accordance with the Provision of IREM so that I am spared of the unpleasant task of approaching CAT once again.

Thanking you Sir,

Yours faithfully,

B. Vivekananda
(B VIVEKANANDA)

// 726 C/S //

Received
P. Sambasiva
05/03
6/2/96

SOUTH CENTRAL RAILWAY

No. B/P.612/III/2/RG/Vol.VII

DRM's Office,
Personnel Branch,
Vijayawada.
Date: 28-2-94.

Sub:- Representations against provisional
seniority list of IstFM/DSL Asst./
Elect. Asst.

Ref:- Your representation dt. 14-07-93.

* * *

1. As per the instructions contained in para 303 of IREM/
Vol.I, Apprentices who fail the initial training in the
first instance and passes the same in the subsequent chances
will rank juniors to those who pass the examination in
earlier courses. Since you failed the initial training
in the first attempt and passed the same in the repeat
course, your seniority position as per the RRB panel
order is not maintained. As a matter of fact, the period
of your apprenticeship should have been extended. But, the
mere non-extension of the period of apprenticeship should
not confer any right in you in demanding the protection of
the seniority as per the RRB panel order.

2. The position of Seniority already assigned to you as
Dsl. Asst. is in order and needs no revision.

// therefore

(S. TAMIL CHOL. IY. PO (M)
for Sr. DPO/BZA.

// The copy

S.C.Rly
Office of the Divl.Rly.Manager (P) BG/SC
No. CP/371/MLR

Dated: 15.9.93
16

LFs. DRR/ SC, KZJ DKJ BPA; ALFs RDM BDCR BIDR & SYI

Subject:- Revision of seniority list of Dsl./Elec.Assistants in
Gr.Rs. 950-1500/RS R P.

....

Arising out of the representations submitted by the directly recruited Dsl./Elec.Assistants to fix their seniority over the departmental candidates who were regularised as Dsl./Elec. Assistants after the absorption of direct recruits in the category and also for re-fixing the inter-se-seniority of the direct recruits based on the marks obtained by them at the end of the Initial training at STC/MLY, batch-wise, the matter has been examined in detail and the decision has been taken by the Competent Authority to recast the seniority list.

Accordingly, it is proposed to modify the provisional seniority list published as on 30.11.91 as indicated to the annexure. Sufficient copies of this letter along with the annexure are sent herewith for wide publicity, pasting on shed notice boards and notifying the concerned staff individually duly obtaining their signatures. A copy of acknowledgement may be sent to this office for record.

Objections to the above proposed, revision of seniority, if any, from the affected staff, should be collected and sent to this office on or before 30.9.93 certain, for consideration. If no representation is received by 30.9.93 the revision of the seniority as proposed in the Annexure will be taken as final.

Sd/---16.9.93
(B. Subba Rao)
Asst. Personnel Officer (M) BG/SC

C/. Sr.DEE/TRS/SC, Sr.DME(P)/SC, CPCCR,CTLC/SC, S/d-- 16.9.93
Vs. for IRM/P/SC/

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TABLE SHOWING THE COMPARITIVE MERIT OF THE APPLICANTS AND PRIVATE RESPONDENTS WHICH HAS VARIED IN THE SENIORITY LISTS

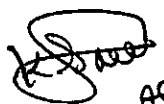
Sl. Applicant No.	List Dated				
	5.4.88 (I)	18.6.93 (II)	21.11.94 (III)	30.1.96 (IV)	14.5.96 (V)
Applicants					
1.K.V.Unnikrishna		405	343	408	252
2.B.H.S.Narayana	32	387	388	400	244
3.B.Vivekanand	59	391	333	404	248
4.Abdul Ayub Jani		414	337	418	256
5.C.H.S.Narayana	26	377	358	390	234
6.N.V.V.S.G.K.Murthy		408	344	412	262
Respondents					
1.P.Anose		328	332	328	172
2.C.D.A.Glower		229	351	329	173
3.P.Sailesh		331	346	331	175
4.C.H.V.Sridhar		332	394	332	176
5.Sk.Md.Khajavalli		333	359	333	177
6.K.Krishna Murthy		334	389	334	178
7.D.Sreenivasa Rao		335	338	335	179
8.G.E.R.Stewart		336	360	336	180
9.T.Tjirupathi Swamy		392	416	337	181
10.T.R.Satish		415	410	338	182
11.D.Sreenivas		337	355	339	183
12.D.Ramakrishna		338	357	340	184
13.P.Koteswara Rao		339	352	341	185
14.D.Paul		340	348	342	186
15.G.Ratnam		341	367	343	187
16.Sk.Mastan		342	398	344	188
17.Ab.Azeez		343	382	345	189
18.K.Nageswara Rao		394	406	346	190
19.Sk.J.Hussain		395	408	347	191
20.T.N.V.S.Sekhar		344	368	348	192
21.I.Venugopal		396	418	349	193
22.G.MeherBabu		345	374	350	194
23.G.Prakash Rao		397	417	351	195
24.P.V.Seshaiah		346	383	352	196
25.Ch.Pratap Kumar		398	413	353	197
26.J.P.M.Dais		399	414	354	198
27.D.Md.Vallibasha		400	415	355	199
28.S.Sita Ramam		401	411	356	200
29.M.V.K.Mohan		347	375	357	201
30.C.H.S.R.C.Sekhar Rao		348	379	358	202

: 2 :

Sl. No.	Applicant	List Dated				
		5.4.88 (I)	18.6.93 (II)	21.11.94 (III)	30.1.96 (IV)	14.5.96 (V)
31.	N.Surapa Raju		349	369	359	203
32.	M.Venu		350	391	360	204
33.	N.R.Premanand		351	390	361	205
34.	G.Muralikrishna		352	400	362	206
35.	K.Anil Kumar		573	not mentioned	363	207
36.	P.V.Satyanarayana		353	396	364	208
37.	N.Dayakar		354	377	365	209
38.	G.Gopala Krishna Murthy		355	384	366	210
39.	D.Bensely		356	366	367	211
40.	P.Srinivasa Rao		357	397	368	212
41.	V.V.L.N.Murthy		359	380	370	214
42.	N.Arjuna Rao		360	401	371	215
43.	Sk.N.A.Jani		361	381	372	216
44.	Y.Babu Rao		416	409	373	217
45.	Ch.Naga Raju		417	407	374	218
46.	K.P.S.Narayana		362	403	375	219
47.	G.Sunanda Kumar		363	409	376	220
48.	B.Rama Krishna		364	378	377	221
49.	D.P.C.Rao	23	365	392	378	222
50.	U.Narasinga Rao	45	383	404	396	240

11/12/96

3. The Comparative ~~and~~ Ranking & Position
in the 8 Four priority lists was prepared after
Laboratory procedure. While preparing this comparative
table, they were given serial nos. Then the
officials were used. While preparing 56
Copies of O.A. & material paper this was overlooked
due to oversight & inadvertently. It will be
very difficult to prepare the case table and
comparative table filed in the material paper
running to 6 pages by retying and making 56
copies and making changes in the main body.
The Registry ~~was~~ requested to accept this
explanation and pass the O.A. & M.A. as the first &
last. I undertake to be more careful, diligent
~~and~~ next time.


(K. S. Srinivas)
Compl. plan

30

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.

O.A. REGD. NO

2827/97

Date: 10.9.97

To Mr. ICS Murthy, Adv

Sir,

I am to request you to rectify the defects mentioned below in your application within 14 days from the date of issue of this letter, failing which your application will not be registered and action under Rule 5 (4) will follow.

- 1) The relief sought is vague ^{Major Application concerned} Pl. clarify.
- 2) How the interim relief sought is consequential to the main relief.
- 3) Counsel to clarify whether the applicants' grievance is against the official suspensions or unofficial suspensions and the relief sought is from the official suspensions or unofficial suspensions since the official suspensions are obligated to the bottom of the list.



DEPUTY REGISTRAR (JUDL)

10/9/97

1. The relief is meant for restoration of principle of preferential seniority list after the performance in the training school. The lists mentioned in the prayer are contrary to this principle as per 303-A of IREM and therefore is untenable.
2. This interim relief is ~~meant~~ for suspending the imposed list and going ahead with ~~seniority~~ ^{seniority} based senior list based on IREM - Para 303-A. The O.A. is filed for restoration of 1996 list. However changes are made.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A. NO. 1445 OF 1997

Between:

K.V.Unni Krishnan and
5 Others

...

Applicants

and

P.Amose and 54 others

...


Respondents

REPLY STATEMENT FILED ON BEHALF OF RESPONDENTS 51 TO 55

I, Mrs. Pramila H. Bhargava W/o Rajat Bhargava aged about 32 years, Occupation: Government Service, resident of Vijayawada do hereby solemnly affirm and state as follows:

1. I am working as Senior Divisional Personnel Officer, South Central Railway, Vijayawada and respondent No.54 herein and as such, I am fully acquainted with all the facts of the case. I am filing this Reply Statement on behalf of Respondents 51 to 55, as I have been authorised to do so.
2. I have gone through O.A. No.1445/97 filed by the applicants herein and I submit that the material allegations made therein are not true and did not disclose any valid or tenable ground to grant the relief prayed for in the O.A. The material allegations which are not specifically admitted herein shall be deemed to have been denied by the respondents. At the outset, it is submitted that the O.A. is barred by the principles of "Res-Judicata" as the applicants herein have earlier been parties in O.A Nos.571/94, 440/94 and 663/96 decided by this Hon'ble Tribunal.
3. In regard to the averments made in Paras 1 to 5 of the O.A., I submit that they are formal and does not call for any remarks.


Assistant Personnel Officer
SATISHCHANDR
VIJAYAWADA.


वरिष्ठ मंडल कामिक अधिकारी
विजयवाड़ा
Sr. DIVISIONAL DEPENDENT OFFICER
VIJAYAWADA

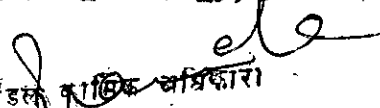
4. In regard to the averments made in Para 6(i) & (ii) of the O.A. I submit that they are factual and does not call for any remarks.

5. In regard to the averments made in Para 6(iii) to 6 (vii) of the O.A., it is submitted that, on this Division, 100 Apprentice Fireman 'A' were appointed during May/June 1987. On successful completion of 2 years Apprenticeship, they were absorbed as 1st Fireman/Diesel Assts, during May/June 1989. During the period of apprenticeship, the applicants and private respondents 1 to 50 were divided into 5 batches as per RRB merit order and were sent for training in different disciplines viz.,

- 1) Initial training at ZTC/Moulali
- 2) Diesel Conversion at DTC/Guntakal and
- 3) Shed training etc., which were commenced simultaneously at different places. Initial training was also conducted in batches at ZTC/Moulali and the staff were sent to this training as per the RRB merit order. The candidates who secured higher ranks in RRB panel attended the initial training at the beginning of the apprentice period and whereas the candidates in the lower order of RRB panel have attended initial training after gaining theoretical/practical knowledge. This has also resulted in conducting initial training examination at different periods in respect of the same RRB batch, which is quite different from the other categories like ASMs, Commercial Clerks, Ticket Collectors etc., where the initial training is held for the entire batch at the same time.

6. As the examination was administered to the candidates of the same R.R.B batch on different dates, the standard applied would be different and therefore, it was decided to fix the seniority on the basis of R.R.B merit order. Thus, the seniority list of Fireman/Dsl/Elec.Assts. in scale of Rs.950-1500 of BZA Division was published vide proceedings dated 18-06-1993.


Assistant Personnel Officer
S.C. RAILWAY
VIJAYAWADA.


वीरेंद्र चंडलू नाथिक अधिकारी
वि. वि. विभाग, विजयवाडा
DIVISIONAL PERSONNEL OFFICER
S.C. RAILWAY
VIJAYAWADA

7. In view of the representation from the aggrieved employees, the matter has been considered by the Headquarters Office and CPO/SC advised vide letter dated 11-7-94 that provisions contained in Para 303(a) IREM 1989 have to be followed in assigning seniority to First Firemen/Dsl Assts./ Elec.Assts. before being posted against working post. The seniority list published on 18-6-93 was therefore revised vide proceedings dt.21-11-94 and a period of one month was given for submission of representations if any. A number of employees have objected to this revision as those who were in the lower R.R.B merit order have gained in seniority position by their better performance in the examination conducted by Z.T.C. The above representations have been brought to the notice of Headquarters by this Office letter dt.14-2-95. Copy of the letter is filed herewith as Annexure-R-I.

8. The Headquarters Office duly taking into consideration of the factors stated in the letter dt.14-2-95, communicated the approval of the Competent authority to assign seniority position based on the merit order given in the R.R.B panel in respect of Ist Fireman/Diesel/Elec.Assistants.

9. Consequent to the above, all concerned letter was issued vide this Office letter dt.30-01-1996 stating that the seniority of Ist Fireman/Diesel/Electrical Assistants (1987 batch) would be as per R.R.B merit order. As a result, the seniority of 1987 R.R.B batch of candidates published vide proceedings dt.21-11-94, therefore stands modified as published vide proceedings dt.18-6-1993.

10. Subsequent to the above developments, the employees forming two groups namely rankers and direct recruits have filed O.A. No. 1143/92 (P.Amos and 30 others), O.A. No.571/94 (V.Tata Rao & Others) and O.A. No.440/94 (P.Venkata Reddy & Others) before this Hon'ble Tribunal on the issue of seniority assigned to the rankers vis-a-vis direct recruits.

Assistant Personnel Officer

S. C. RAY

Sr. DIVISIONAL PERSONNEL OFFICER
S. C. RAY DEPUTY

11. The issue involved in the above O.A's is that the rankers (Promotees) who are II Fireman were promoted as Ist Fireman on adhoc basis and the adhoc Fireman were regularised as Ist Fireman (Promotees/Rankers) without selection as a One time dispensation and thereby the rankers have become seniors to Direct recruits and have been further promoted as Shunters on adhoc basis. Similarly, the R.R.B. candidates (Direct recruits) were also promoted as Adhoc shunters. This Hon'ble Tribunal by a common judgement dt.16-11-95 directed that the rankers, promoted as Shunters by 29-12-92 are to be placed above direct recruits. Accordingly, seniority list was published on 14-5-96 for 1160 employees.

12. The above seniority list was again challenged by Sri D.V.S.Manyam and 95 others (Rankers/Promotees) by filing O.A No.663/96 before this Hon'ble Tribunal and the O.A. is still on the file of this Hon'ble Tribunal. This Hon'ble Tribunal was pleased to pass interim orders dt.07-06-96 directing the respondent Railways to dispose of the representations of the applicants in O.A. No.663/96 and file counter. The Counter has been filed after disposing of the representations. The applicants in O.A. 663/96 have filed SLP(C) No.1627 & 1628/97 before Hon'ble Supreme Court evenwhile the O.A. is still on the file of this Hon'ble Tribunal. The SLPs are yet to come up for consideration by the Apex Court. Similarly the direct recruits have filed SLP(C) No.21782/96 (P.Amos & others), SLP(C) No.21784/96 (T.E.R.Stewart) and SLP(C) No.21786/96 (T.Pratap Kumar & Others) before the Hon'ble Apex Court and the same are yet to come up for consideration by the Hon'ble Supreme Court.

In view of the foregoing submissions, it is clear that the applicants have failed to makeout a case to grant the relief prayed for and there are no merits either on facts or in law. It is therefore, prayed that the Hon'ble Tribunal may be pleased to dismiss the O.A. with costs.

Sworn and signed before me
on this 21 day of April, 1998.

Assistant Personnel Officer
S.C RAILWAY

वरिष्ठ मंडल दफ्तर अधिकारी
द. म. रेलवे, विजयवाडा

DEPONENT
Sr. Divisional Personnel Officer

S.C. RLY. VIJAYAWADA

ATTESTOR.

S.C RAILWAY

On receipt of the instructions received from your end vide letter cited, seniority list of DSL Assts./Elec.Assts. published on 18-06-93 was revised vide this office letter of even no. dt. 21-11-94 duly giving one month notice period for making representations. Many employees have objected to this revision as the employees in the lower order of RRB panel have become seniors to them by virtue of scoring more marks in ZTC Examination. The affected employees are seeking cancellation of this revised seniority list and informed that they will approach CAT/HYB, if their request is not considered.

Moreover, staff of this RRB batch are now due for Shunters promotion and this position has become more complicated as this RRB batch staff have already had a case pending before CAT/HYB for seniority over the departmental promotees and the Hon'ble CAT have passed interim orders to promote the first 56 staff of this RRB panel Shunters. So far promotions could not be ordered as the objections raised by the employees vide representations enclosed, which are to be disposed.

In view of the above, it is suggested the seniority list prepared according to RRB merit order and published on 18-6-93 may be allowed to stand. It is also suggested to hold a final examination at the end of the Apprenticeship by the department, so that the theoretical and practical knowledge gained in the apprenticeship will be helpful to the apprentices.

Enc:

[Signature]
12/3/95

(K.B.T.NAIK) Sr.DPO
Divl. Railway Manager(P)
Vijayawada.

[Signature]
9/2

- True Copy -

[Signature]
Assistant Personnel Officer
S.C. RAILWAY
VIJAYAWADA.

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SOUTH CENTRAL RAILWAY

Annexure - R-I
-256-
DRM's Office,
Personnel Branch,
Vijayawada.
Date: 19-02-95.

No.B/P.612/III/RG/2/Vol.VII

CPO(Mech.) SC

Sub:- Seniority of 1st Fireman/DSL Assts./
Electrical Assts.

Ref:- Your Lr.No.P.Mech./694/Sangh/LXXII/11
Dated 11-07-94 and 03-02-1995.

F-171

F-251

The following position is referred to you regarding the dispute arisen in assigning seniority among the Directly recruited 1987 App.FM'A' batch staff of this Division.

On this Division, 100 App.FM'A' are appointed during May/June 1987 and on successful completion of the 2 years apprenticeship, they were absorbed as 1st FM/Dsl.Assts during May/June 1989.

During the apprentice period, the selected candidates are divided into 5 batches as per RRB merit order and were sent to undergo different disciplines Viz. Initial Training at ZTC/MLY, DSL conversion Training at DTC/GTL and Shed Training etc. commenced simultaneously at different places. Initial Training was conducted batch wise at ZTC/MLY and the staff were sent to this training in the RRB merit order. As such, candidates secured higher RRB ranks have attended Initial training at the beginning of the apprentice period and where as the candidates in the lower order of RRB panel have attended initial training after gaining theoretical/practical knowledge. This has also resulted in conducting initial training examination at different periods in respect of the same RRB batch, which is quite different to the other categories where initial training is conducted at the same time for the entire RRB batch candidates and as such the standard applied for various batches in the examination would be different as the candidates have attended the initial training in different batches. Further there is no final examination at the end of the apprenticeship.

After examining the above factors in the light of the provisions contained in para 303(a) of IREM-Vol.I, a decision was taken by the Division to follow the RRB merit order for the Direct recruits and a seniority list was published accordingly on 18-06-93 and none of the employees have objected to this.

Contd.. 2

Handwritten notes:
I send in
a/cr addressed
to SDO (Mysr)
by name
13/2
S.D.

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

O.A. NO. 1445 OF 1997



REPLY STATEMENT
—

128 cont.
27/4/98

FILED ON: 27-4-98

FILED BY :

MR J.R. GOPALA RAO
STANDING COUNSEL FOR RLYS./ADDL S.C.
FOR CENTRAL GOVT. (CAT)
CONSEL FOR RESPONDENTS.

Copy filed
27.4.98

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O. A. No. 1445 of 1997.

BETWEEN:

K.V.Unnikrishnan & others .. Applicants

and

P. Amose and others .. Respondents.

REJOINDER TO THE COUNTER AFFIDAVIT OF UNOFFICIAL RESPONDENTS.

I, B. Vivekananda son of B. Radhakrishna Gupta aged about 32 years, resident of Kavali having temporarily come down to Hyderabad do hereby solemnly and sincerely affirm and state as follows.

1. I respectfully submit that I am the 2nd applicant in this O.A. and as such I am well acquainted with the facts of the case. I am authorised to file this rejoinder to the counter affidavit filed by the private respondents in the O.A. No. 1445 of 1997. The averments in the C.A. are denied herewith save those which are expressly admitted herein. The private respondents in the O.A. are put to strict proof regarding those averments which are not specifically admitted by us.

2. I respectfully submit that the unofficial respondents raised a plea of availability of vacancies to confuse the issue herein. 87 vacancies were available for the direct recruits in Fireman A cadre as on the date of indent and by 1990 the vacancies were 354 as admitted by the Railway Administration in O.A. No. 1143 of 1992 and O.A. 1347/93. Those O.As were filed by the direct recruits i.e., the applicants and the

B. Vivekananda

-: 2 :-

unofficial respondents in this O.A. 1445/97. All of us together agitated about the seniority position vis a vis the departmental promotees at the time and the question of availability of vacancies etc. were settled and they need ^{not be} rake up again.

3. I respectfully submit that the Rly. Admn. had formulated separate rules for determining the seniority of direct recruits. Such direct recruits who neednot have to undergo any initial training during apprenticeship and the direct recruits who have to undergo such training and apprenticeship before being posted to substantial posts have different rules applicable. Rule 303 of IRM deals with this and Sub-Rule (b) is meant for such people who do not have to undergo training. Sub-Rule (A) deals about calculating the seniority based upon the performance in the training period. The unofficial respondents and the applicants have been recruited against one notification and they have been sent to training. Some people were sent to Zonal Training School; some others were sent to Diesel Training School and some to other place of training. All these people are treated as one batch and were rotated among the various training centres. At each training a test was conducted and marks were allotted. The apprenticeship includes some periods meant for the employees to get accustomed to the environment in which they must discharge their duties. For example, for one month apprenticeship Fireman A is asked to spend one month's time in sheds with boiler mix where the apprentices are asked to clean the boilers and engines and there is no test pursuant to this. It is only meant for exposure. The apprentices are to work as second Fireman on pilots and goods trains and in shunting for two months. This period is meant for adjusting to the environment and movement of vehicles. However, in the Zonal Training School and

B. N. N. N. N. N.

- 3 -

and the Diesel Training School test is conducted and marks are available. Between 12/88 and 1/89, the A.M.E. of Loco Shed, Rajahmundry conducted viva voce and then the apprentices were given posting/independent charge along with increments etc. Due to exigencies of service the diesel training was given only after this. All the R. R. B. recruits were placed as 1st Fireman on main lines only after passing this.

4. I respectfully submit that in view of the facts above, it is clear that the apprenticeship is for 24 months and it includes different phases of training and at the end of each period/phase of training tests are conducted. Such tests are to be taken into account and the overall performance is then calculated, as per the provisions of 303 (A). The unofficial respondents herein have tried to create an impression in the Court that a 'Grand Final' examination will be held at the end of 24 months period of apprenticeship. The apprenticeship consists of acclimatization in different places and training in different schools. The exams referred to 303 (A) is only at training. Exams are conducted at the end of each phase of training. Thus, to comply with rule 303 (A) it is mandatory for the authorities to tabulate the performance of the direct recruits and then calculate the seniority. At Guntakal all the apprentices were given diesel training. Test was conducted after the theory and viva voce conducted after handling engines and then the result of apprentice is declared. If any one fails in this or other training school they are given second attempt and they are placed at the bottom place among the batch. The respondents 9, 21, 23 and 27 were

B. Sreenivasulu

in fact given their due seniority vide proceedings dated 28.2.1994 by the Sr. D.P.O. saying that they failed in the initial training course in the 1st time and passed the same in the 'repeat' and their seniority position as per R.R.B. Panel was not maintained. Even these persons have been placed above the applicants herein. Thus, the people who repeat the course and fails, have been placed above the applicants due to impugned seniority list.

5. I respectfully submit that the TX^{applicants} respondents, commercial apprentices and other apprentices undergo theoretical and practical placement. A TTE apprentice is asked to collect the tickets at the exist gate of Railway Station and there is no examination pursuant to this phase of training. However, they are given six months theoretical training and on the basis of the marks obtained at the examination conducted at the end of the theoretical training, the seniority among the R.R.B. recruits is decided. The so called final examination is not contemplated at the end of apprenticeship but only at the end of each period of training which is spread over the apprentice. The language of 303 (a) is clear in this regard. I respectfully submit that the General Manager and the Chief Personnel Officer are parties to this O.A. and applicants in this O.A. have made a definite statement that in Secunderabad Division and Hyderabad Division the seniority among the R. R. B. recruits has been decided only on the basis of the performance in the training and not R. R. B. seniority. We filed the proceedings to show this. This averment has not been denied by the Official respondents and have not come forward to satisfy this point about the disparities between the similarly placed employees in the same Railway. The overall performance of

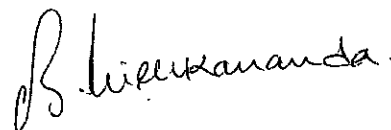
B. Veeranna

-: 5 :-

of the direct recruits in-apprenticeship should be calculated based upon the total/average marks obtained in training school exams and other practical exams held periodically during the course of apprenticeship and then only the sanctity of Rule 303 (a) of IREM will be restored. If the performance of the direct recruits in apprenticeship period is not taken into account the rule 303 (A) will be redundant and the purpose for which it was meant for, will be lost and then all the seniority will be decided only based upon 303 (b) which is not applicable to the present case.

6. Hence, it is therefore prayed that this Honourable Tribunal may be pleased to allow the O.A. with all consequential Benefits.

Solemnly and sincerely
affirmed on this the 6th
day of September, 1999 and
signed his name before me.



DEPONENT.

BEFORE ME.



ADVOCATE.

20
(A)

SOUTH CENTRAL RAILWAY

DRM's Office,
Personnel Branch,
Vijayawada.
Date: 28.2.94.

No. B/P.612/III/2/RG/Vol.VII

Sub:- Representations against provisional
seniority list of IstFM/DSL Asst./
Elect. Asst.

Ref:- Your representation dt. 14-07-93.

* * *

1. As per the instructions contained in para 303 of IREM/
Vol.I, Apprentices who fail the initial training in the
first instance and passes the same in the subsequent chances
will rank juniors to those who pass the examination in
earlier courses. Since you failed the initial training
in the first attempt and passed the same in the repeat
course, your seniority position as per the RRB panel
order is not maintained. As a matter of fact, the period
of your apprenticeship should have been extended. But, the
mere non-extension of the period of apprenticeship should
not confer any right on you in demanding the protection of
the seniority as per the RRB panel order.

2. The position of Seniority already assigned to you as
Dsl. Asst. is in order and needs no revision.

Therefore

28.2.94
(S. TAMIL CHOLAI) SPO (M)
for Sr. DPO/BZA.

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Fair list case dt 8/9/99

BEFORE THE CENTRAL ADMINISTRATIVE
TRIBUNAL HYDERABAD BENCH : HYDERABAD

O.A. NO. 1445 of 1997.

BETWEEN:

K.V.Unnikrishnan
and others Applicants.

and

P.Amose and others.. Respondents.



REJOINDER TO THE COUNTER
AFFIDAVIT ~~XXXXX~~ OF
UNOFFICIAL RESPONDENTS.

Recd

Sirs

7/9/99

MR. K. S. MURTHY.
COUNSEL FOR APPLICANTS.

*Received
Roshakhi*

7/9/99 for J.R. Gopala Rao

*May be Retd
as
7/9/99*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH AT
HYDERABAD

O.A. NO. 1445 OF 1997

Between:

1. K.V. Unnin Krishnan, S/o K.S. velandi,
Aged about 29 years, Goods Driver, Rajahmundry,
East Godavari district and 5 others ... APPLICANTS

AND

1. P. Amos, S/o P.J. Prabhu Dass, aged about 32 years,
Goods Driver, CCC/L/BZA,
Vijayawada and 54 others ... RESPONDENTS

COUNTER AFFIDAVIT OF SRI T.N.V.S. SEKHAR

I, T.N.V.S. Sekhar, S/o Sri T. Purnachandra Rao, aged about 32 years, occupation- Goods Driver, office of the Chief Crew Controller, South Central Railway, Vijayawada having temporarily come down to Hyderabad, do hereby solemnly and sincerely affirm on oath and state as follows:-

1. I am the 20th respondent in the O.A. and as such, I am well acquainted with the facts of the case. I am deposing to this affidavit on my behalf and also on behalf of the respondents 1, 4, 5, 6, 8, 9, 11, 12, 14, 15, 16, 17, 20, 21, 23, 27, 30, 32, 36, 37, 38, 40 and 46 as I have been authorised by them to do so.

2. I have perused the O.A. and I deny all the allegations made therein save those though specifically admitted herein. The applicants are put to strict proof regarding those averments who are not specifically admitted in this counter affidavit.

3. I and the other petitioners after completing our education, were on the search for a suitable job. While so, we have come across the notification No. 1/85, dated 18-10-85 issued by the Railway Recruitment Board calling for suitable candidates for filling up the posts of Apprentice Firemen 'A'. We have applied against the said notification and participated in the selection process which comprises of a written test viva voce psycho test. The written test was conducted on 2-3-86 viva voce and psycho test was held during the month of May, 1986. I and the other respondents herein have come out successful in the selection process and we were subjected to a Medical Examination and the Medical Category which we will have to satisfy was that of 'A1'. A panel was

prepared and published on 18-7-86. 346 candidates were empanelled therein for the zone and 40 candidates were allotted to the Bezavada Division of South Central railway. All the Personnel who have empanelled have been subjected to a medical test and having found that we satisfy the required condition of 'A-1' category. It was declared that we were eligible for appointment.

4. On 8-9-86, the Chief Personnel Officer has allotted 36 candidates to Bezavada Division. It is reliably learnt that the applicants did not come within these 36 candidates originally allotted to the Bezavada Division. It is also learnt that the applicants were down below in the list and were appointed in the vacancies which have not been included at the time of notification. It would be relevant to point out that the notification originally sought to be filled up 236 posts while the actual appointments that have been made, are approximately 350. The applicants in the O.A. were left over candidates and thus, they ranks in the Railway Recruitment Board (RRB) selection is below the respondents. I submit that the respondents 9 and 16 though were among the 36 candidates originally allotted to the Bezavada Division, they sought permission to join late and the respondents 40 and 46 have also joined along with the respondents 9 and 16 in the month of July, 1987.

5. I further submit that the persons who have been appointed as Apprentice Firemen 'A', have to undergo training for a period of 24 months and during the training period they would not be given regular pay and allowances fixed to the post of Firemen, but would be paid only stipend. During the course of training, they will have to get themselves acquainted with the following areas of work:

1. In sheds cleaning fire, ash pan cleaning etc.	1 and ½ month
2. (a) In shed with fitters on Running repairs	1 month
(b) In shed with engine examiner	1 month
3. In sheds with boiler makes on Rg. Repairs	1 month
4. Theoretical training in ZTS/MLY	2 ½ months
5. As Fireman on shunting engines	2 months
6. As IInd Fireman on Pilots/Goods trains	2 months
7. As Ist Fireman on Pilots/Goods trains	3 months
8. As IInd Fireman on express/Pass trains	2 months
9. As Ist Fireman on express/pass trains	2 months
10. (a) Diesel-theoretical training at DTS	2 months
(b) Handling on diesel locos	1 month
© As diesel assistant on Main line goods	3 months

11. Traction Training, theoretical in ETTS/BZA
(including handling)

6 months

NOTE: The App. Fireman 'A' trained in diesel locos during apprenticeship are not to be trained in Electrical Traction and similarly the candidates trained in electrical traction are not to be trained in diesel locos.

It is only after completing the above training successful, the Apprentice Firemen 'A' can be absorbed as a regular Firemen 'A'. It is from the day that one gets appointed as a regular Firemen 'A', he would be drawing the pay and allowances attached to the said post. It would also be relevant to point out that after the training of 24 months is completed, a test is contemplated and the test has to be conducted and only those persons who are found successful in the said test, should be posted to working posts.

6. The question of determining the seniority list in respect of the persons who come from the RRB would be determining on the ranking obtained by them in the said examination conducted by the Board. However, rule 303 of the Indian Railway Establishment Manual Volume-I, Revised Edition 1989, would deal with the determination of seniority of non-Gazetted Railway Servants. Rule 303 would be relevant for adjudicating this issue and hence in so far as it relates to the question of controversy, it is extracted hereunder:

"303. The seniority of candidates recruited through the Railway Recruitment Board or by any other recruiting authority should be determined as under:

(a) Candidates who are sent for initial training to training schools will rank in seniority in the relevant grade in the order of merit obtained at the examination held at the end of the training period before being posted against working posts. Those who join the subsequent courses for any reason whatsoever and those who pass the examination in subsequent chances, will rank junior to those who had passed the examination in earlier courses.

(b) In the case of

According to this rule, it would be evident that at the end of the training period and before to be posted against working posts, an examination is to be held and the merit ranking obtained at the said examination would determine the seniority.

7. The official respondents have circulated the seniority list of Firemen as on 1-5-93 vide their proceedings dated 18-6-93. In the said seniority list, persons who have been failed at the test conducted after two and half months of training, have been given an opportunity to appear along with the 5th and last batch of trainees and they have been placed in accordance with the inter se merit ranking in the RRB. Objections have been filed against seniority list and duly taking into account the objections submitted, the official respondents have revised the seniority list and communicated them vide proceedings dated 21-11-94 and in this seniority list, the official respondents have taken the ranking obtained in the examination conducted by the Zonal Training School after two and half months training. The deponents of this affidavit and similarly placed individuals have taken a serious objection to this determination of seniority as persons who have been sent for training in different batches, cannot be clubbed together and the ranking obtained cannot determine their seniority as it was not a common examination conducted.

8. Acting upon these representations, the official respondents have circulated a seniority list on 30-1-96 wherein the ranking obtained by the persons in the RRB examination was taken as a sole criteria for determination of seniority. No reliance has been placed on the ranking obtained in the test conducted at the end of two and half months training in the Zonal Training Center. The main reason for this was the fact that no examination has been conducted at the end of the total training period in respect of this batch of direct recruit Apprentice Firemen 'A'. this being a special instance and was not a regular feature as a one time measure, it has been decided by the competent authority to assign seniority based on the merit obtained by the candidates in the RRB examination.

9. It would be relevant to point out that on 14-5-1996, the seniority list was also circulated wherein the inter se seniority between the Direct recruit Firemen and the promoted Firemen was determined. In so far as the direct recruitment Firemen 'A' is concerned, the same principle has been followed in the seniority list dated 30-1-96, has been followed and there was no disparity between the direct recruit Firemen in both these seniority lists. This seniority list has been assailed in this O.A. and the main contention of the applicants is that the test conducted at the end of the two and half months training is to be the sole basis for determining the seniority. A perusal of Rule 303 (a) extracted above, would indicate that the principles enshrined therein can be the basis for

seniority, only if the examination has been held at the end of the training period "**before being posted against working posts**" (emphasis supplied). In the instant case, admittedly, there was no such test conducted and thus, the contention of the applicants in this regard is liable to be rejected. It would also be relevant to point out that this contention does not have necessary foundation in the absence of there being a test at the end of the training period. From the programme of training detailed supra, each candidate would be constrained to take test at 3 different points of time- (i) at the Zonal Training School, (ii) at the Diesel Training School or (iii) at the Electrical Traction Training School. In such a situation, there is no reason much less a valid and justifiable one to take the merit ranking obtained in the test conducted after the training at Zonal Training School. Rule 303 (a) only with a view to avoid such a situation has contemplated training before being posted to the working post. The opening sentence of the rule would itself read: "that persons who have been sent for initial training to training Schools". Thus, the rule clearly contemplated a test other than the test conducted by the training schools. In the instant case, the official respondents have not conducted any training and this fact was brought to the notice and after elaborate discussion at the PNM meeting, the competent authority decided that the ranking obtained at the RRB Examination should be the basis for determining the seniority. Therefore, the very contention of the applicants in the O.A. being erroneous, they are not entitled for the relief claimed for therein.

10. The meek attempt has been made to substantiate the challenge to the seniority on the ground that determined a result of an understanding arrived with a Trade union ignoring the rules and regulations and the act. This averment has been made only to prejudice the Hon'ble Tribunal and has got no seriousness. The reason for stating that it has been pursuant to the decision taken by the headquarters in the PNM is the official respondents have admitted that they have not followed the procedure of conducting a test at the end of the training of 24 months. This fact was brought to the notice of the official respondents during PNM meeting. They have been satisfied with the correctness of this statement, it has been decided that the merit ranking obtained in the examination conducted by the RRB would be the criteria for determining the seniority. It is not as though the respondents have prepared a seniority list yielding to the pressures of the Trade Union. It has been brought to the notice of the official respondents that there was a lapse on their part and in order to set right that lapse of theirs, it has been decided at the appropriate

Returned

1-Service to be made on the
counsel for the applicant and
standing counsel

in days time

or
25/8/99

Since complied

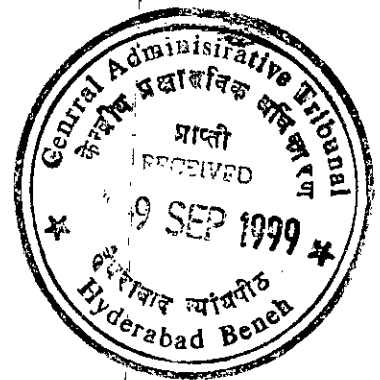
Sir,



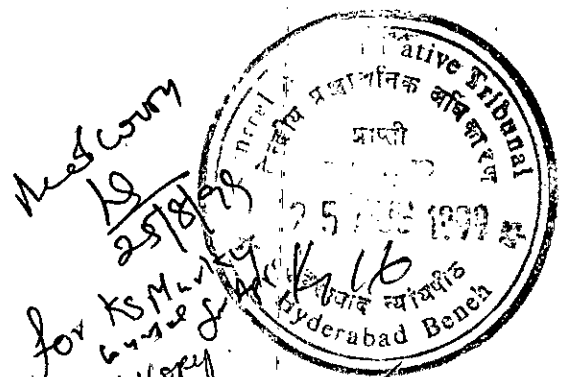
East Godavari (D)

CAT, Hyderabad

O.A. No. 1445/97



Counter Affidavit



for KSM
Received copy
for J.R. Tippu Rao
counsel for Resp 5/16/55
7/9/99

M. V. Rama Mohan Rao
Associate

may be filed
or
8/9/99

level that the ranking at RRB would be the basis. Therefore, the averment made by the applicants in the O.A. is only liable to be rejected.

11. Reliance has been placed on one proceeding issued on 5-4-88 by the Principal Zonal Training School in respect of certain candidates. A perusal of that would indicate that they have been relieved from the Zonal Training School and for the purposes of reporting to further course. Thus, the principle enshrined in Rule 303 (a) is not for such a situation and as per their own showing some applicants have been relieved by the proceeding dated 5-4-88. Therefore, this contention that they have been relieved for the purposes of joining posts also falls to ground and when this contention fails, the applicants are not entitled for the relief claimed for in the O.A.

12. With the above factual matrix, it is evident that the rule which the applicants have been relying on for the relief claimed in the O.A. does not help them. As regard the averment in the O.A., I respectfully submit that the statement of the applicants that they were absorbed and regularised along with the respondents is not true as they have been regularised during July 1989 while some of the respondents have regularised during May 1989. Thus, the applicants are not shown any reason for claiming the relief asked for neither on facts nor on law. The applicants are entitled for the relief claimed in the O.A. and the O.A. is, therefore, liable to be dismissed with costs payable to all the respondents herein.

Sworn and signed on this
The 19th day of August, 1999
At Hyderabad in my presence.

DEPONENT

BEFORE ME

ADVOCATE :: HYDERABAD

50

O.A.NO. 1445/97 by K.V.UNNIKRISHNA, Ad. Goods driver, Vijayawada division

100 Apprentice fireman 'A' were appointed during 1987 after 2 years apprenticeship and were absorbed during may/june'89 as 1st Fire man/ Dsl Assts. The applicants as well as private respondents were subjected to prescribed training in different batches for want of simultaneous facilities. The apprenticeship consists of initial training, Diesel convention course and shed training.

The training was imparted in different disciplines to all the apprentices. Thus, when one batch is undergoing initial training, another batch was undergoing DSL conversion training and yet another shed training -

" In view of the above Para 303(a) of IREM could not be complied with in assigning seniority strictly in accordance with the above rule."

Therefore, the seniority was assigned to those apprentices who passed the training in the First attempt according to the RRB merit. Those apprentices who passed the training in the second attempt were placed below the apprentices who passed the training in the first attempt according to RRB merit. Accordingly seniority list dated 18.6.93 was published.

The matter was considered by the Head Office in view of large number of representations against the seniority list dated 18.6.93. CPO/SC advised the division vide letter dated 11.7.94 that provisions contained in para 303(a) of IREM 1989 have to be followed in assigning the seniority to the above apprentices.

Therefore, seniority list dated 21.11.94 was published on the basis of marks obtained in the examination held by ZTC/MLY.

Representations were again received from those affected employees whose seniority was revised to their disadvantage.

The matter was once again referred to Head Quarters Office (CPO/SC) vide letter dated 14.2.95 with a proposal to permit the seniority list dated 18.6.93, initially released to stand valid for all the reasons stated in the said letter.

In response to the above, CPO/SC vide his letter dated 28.9.95 advised the Division to assign the seniority based on the merit given in the RRB panel. CPO/SC vide his letter dated 16.11.95 further advised the Division, since no examination was conducted in the training school at the end of the total training period, the decision communicated vide CPO/SC's letter dated 28.9.95 will equally apply to failed candidates also as per RRB merit. Accordingly the seniority of the apprentices was revised and the seniority list dated 30.1.96 was published which seniority list is impugned in the O.A.

~~G.R.GOPALARAO~~

48. B. Ramakrishna, Goods Driver, CCC/O/RJY/Rajahmundry
49. DPC. Rao, Goods Driver, CCC/O/RJY/Rajahmundry
50. V. Narasingarao, Goods Driver, CCC/O/RJY/Rajahmundry
51. General Manager South Central Rly, Railnilayam, Sec'bad.
52. The Chief Personal Officer, SC Rly, Railnilayam, Sec'bad.
53. The Divisional Rly Manager, Vijayawada Division, SC Rly
Vijayawada.
54. The Sr. Divisional Personal Officer, Vijayawada Division
SC Rly, Vijayawada.
55. The Asst. Personal Officer (Mechanical) SC Rly, Vijayawada.

.... Respondents.

Counsel for the Applicants

... KS. Murthy

Counsel for the Respondents

.. JR. Gopal Rao,
Addl. CGSC

.. N. Ramamohan Rao

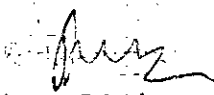
CORAM:

THE HON'BLE MR. R. RANGARAJAN: MEMBER (ADMN)

THE HON'BLE MR. B. SJAIPARAMESHWAR: MEMBER (JUDL)

THE TRIBUNAL MADE THE FOLLOWING ORDERS:

THE dy. Chief Personnel Officer (Mechanical) from
the Head Office should be present in the Court at 10.30 AM
on 15-9-99. He should come fully prepared.


Section Officer 10 P.P. 8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH:HYDERABAD:

DA.NO.1445/1997

Between

Date:10-9-99

1. KV. Unnin Krishnan
2. Satyanarayana
3. B.Vivekananda
4. Abdul Ayub Jani
5. CH.Satyanarayana
6. NVVS.G.K.Murthy

...Applicants

And

1. P.Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/O/RJY, Rajahmundry
3. P.Salelesh, Goods Driver, CCC/L/BZA, Vijayawada.
4. CH.V.Sridhar, Goods Driver, CCC/TRO/BZA, Vijayawada.
5. SK.MD.Khaja Vali, CCC/L/BZA, Vijayawada.
6. DSK.Krishna Murthy, Goods Driver, CCC/TRO/BZA, Vijayawada.
7. D.Srinivas Rao, Goods Driver, CCC/TRO/BZA, Vijayawada
8. T.E.R.S.Stewart, Goods Driver, CCA/TRO/BZA/, Vijayawada
9. T.Titupati Swamy, Goods Driver, CCC/TRO/BZA, Vijayawada.
10. TR.Satish, Goods Driver, CCC/TRP/BZA, Vijayawada
11. D.Srinivas, Goods Driver, CCC/TRO/BZA, Vijayawada.
12. D.Ramakrishna, Goods Driver, CCC/TRO/BZA, Vijayawada
13. P.Koteswararao, Goods Driver, CCC/TRO/BZA, Vijayawada
14. D.Paul, Goods Driver, CCC/TRO/BZA, Vijayawada
15. G.Ratnam, Goods Driver, CCC/TRO/BZA, Vijayawada.
16. SK.Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada
17. Ab.Azeez, Goods Driver, CCC/O/BTTR, Bitragunta
18. K.Nageswararao, Goods Driver, CCC/O/RJY, Rajahmundry
19. SK.J.Hussain, Goods Driver, CC./O/RJY, Rajahmundry
20. TNV.Sekhar, Goods Driver, CC/O/BTTR, Bitragunta
21. D.Venugopal, Goods Driver, CC/O/BTTR, Bitragunta
22. G.Mehar Babu, Goods Driver, CC/O/BTTR, Bitragunta
23. G.Prakasha Rao, Goods Driver, CC/O/BTTR, Bitragunta
24. PV.Seshaiah, Goods Driver, CC/O/BTTR, Bitragunta
25. CH.Pratapakumar, Goods Driver, CC/O/BTTR, Bitragunta
26. JPM.Dais, Goods Driver, CC/O/BTTR, Bitragunta
27. D.Md.Vali Basha, Goods Driver, CC/O/BTTR, Bitragunta
28. S.Sitaramana, Goods Driver, CC/O/BTTR, Bitragunta
29. MVR.Mohan, Goods Driver, CCC/O/RJY, Rajahmundry
30. CH.S.RC.Sekhar Rao, Goods Driver, CCC/O/RJY, Rajahmundry
31. N.Surapa Raju, Goods Driver, CCC/O/RJY/Rajahmundry
32. M.Venu, Goods Driver, CCC/O/RJY/Rajahmundry
33. NR.Premanand, Goods Driver, CCC/O/RJY, Rajahmundry
34. G.Muralikrishna, Goods Driver, CCC/O/RJY/Rajahmundry
35. A.Anil Kumar, Goods Driver, CCC/O/RJY/Rajahmundry
36. PV.Satyanarayana, Goods Driver, CCC/O/RJY/Rajahmundry
37. N.Dayakar, Goods Driver, CC/O/BTTR/Bitragunta
38. G.Gopala Krishna Murthy, Goods Driver, CC/O/XXXXRJY/Rajahmundry
39. D.Bensely, Goods Driver, CC/O/BTTR/Bitragunta
40. P.Srinivasrao, Goods Driver, CC/O/RJY, Rajahmundry
41. VVLN.Murthy, Goods Driver, CCC/O/RJY/Rajahmundry
42. N.Arjunarao, Goods Driver, CCC/O/RJY/Rajahmundry
43. SK.N.A.Jani, Goods Driver, CCC/O/BTTR/Bitragunta
44. Y.Baburao, Goods Driver, CCC/O/RJY/Rajahmundry
45. CH.Nagaraju, Goods Driver, CCC/O/RJY/Rajahmundry
46. KPS.Narayana, Goods Driver, CCC/O/RJY/Rajahmundry
47. G.SunanandaKumar, Goods Driver, CCC/O/RJY, Rajamundry

Contd... 2.

COPY TO :-

1. HDHND
2. HRAN M (A)
3. HBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

IST AND II NO COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE - CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN :
MEMBER (ADMN.)

THE HON'BLE MR. B.S. JAI PARAMESWAR :
MEMBER (JUDL)

* * *

DATE OF ORDER: 10/9/99

MA/RA/CP.NO.

IN

CA. No. 1445/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

CA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

Post on 15/9/99

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केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

10 SEP 1999

हैदराबाद न्यायपीठ
HYDERABAD BENCH

53

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1445/97

DATE OF ORDER : 29-09-1999.

Between :-

1. K.V.Unnin Krishnan
2. Satyanarayana
3. B.Vivekananda

4. Abdul Ayub Jani
5. Ch.Satyanarayana
6. N.V.V.S.G.K.Murthy

... Applicants

And

1. P.Anose
2. CDA Glower
3. P.Saelesh
4. Ch.V.Sridhar
5. Sk.Md.Khaja Vali
6. DSK Krishna Murthy
7. D.Srinivasa Rao
8. TER Stewart
9. T.Tirupathi Swamy
10. T.R.Satesh
11. D.Srinivas
12. D.Ramakrishna
13. P.Koteswara Rao
14. D.Paul
15. G.Ratnam
16. SK.Mastan
17. Ab.Azeez
18. K.Nageswara Rao
19. SK.J.Hussain
20. T.N.V.Sekhar
21. D.Venugopal
22. G.Meher Babu
23. G.Prakasha Rao
24. P.V.Seshaiah
25. Ch.Pratap Kumar
51. General Manager, SC Rlys, Rail Nilayam, Sec'bad.
52. Chief Personal Officer, SC Rlys, Rail Nilayam, Sec'bad.
53. The Divisional Rly.Manager, Vijayawada Divn.,
SC Rlys, Vijayawada.
54. The Sr.Divisional Personal Officer, Vijayawada Divn.,
SC Rlys, Vijayawada.
55. The Asst.Personal Officer (Mechanical), SC Rlys, Vijayawada.

26. J.P.M.Dais
27. D.Md.Vali Basha
28. S.Sita Raman
29. M.V.R.Mohan
30. CH.S.RC.Sekhar Rao
31. N.Surapa Raju
32. M.Venu
33. N.R.Premanand
34. G.Murali Krishna
35. K.Anil Kumar
36. P.V.Satyanarayana
37. N.Dayakar
38. G.Gopala Krishna Murthy
39. D.Bensely
40. P.Srinivasa Rao
41. V.V.L.N.Murthy
42. N.Arjuna Rao
43. SK.N.A.Jani
44. Y.Babu Rao
45. Ch.Naga Raju
46. K.P.S.Narayana
47. G.Sunanda Kumar
48. B.Ramakrishna
49. D.P.C.Rao
50. V.Narasinga Rao

Counsel for the Applicants : Shri K.S.Murthy

Counsel for the Respondents : Shri J.R.Gopal Rao for RR 51 to 55
Shri N.Ram Mohan Rao for RR 1,4,5,
6,8,9,11,12,14 to 17,20,21,23,27,
30,32,36,37,38,40 & 46.

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

- 2 -

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- --

Heard Sri K.S.Murthy, learned counsel for the applicants, Mrs.Shakti for Sri J.R.Gopal Rao, learned Standing Counsel for official Respondents and Sri Shiva for Sri N.Ram Mohan Rao, learned counsel for the private Respondents 1, 4, 5, 6, 8, 9, 11,12,14 to 17, 20,21,23,27, 30, 32, 36, 37, 38, 40 and 46. Mrs.Shakti submits that Respondent No.13 is reported to have been expired and all the other private respondents other than those who are represented by Sri Shiva ^{have been} ~~were~~ served with notices. The party respondents, other than those who are represented by Sri Shiva are called absent.

2. There are six applicants in this O.A. They are Fireman 'A'/ Diesel Assistants/Electrical Assistants in Vijayawada Division posted of South Central Railway/on the basis of the selection made by the Railway Recruitment Board (RRB for short) way back in the year 1986. They ^{were} /allotted to Vijayawada Division after had they/completed training in the year 1989. Provisional seniority list was issued in the year 1993 based on the merit position obtained by them in the RRB Selection. The applicants protested against that. Hence that seniority list was revised and another seniority list was published on 31.1.1996.

3. This O.A. is filed praying for a direction to the official respondents to publish the seniority list of first firemen/ diesel assistants/electrical assistants in pay scale of Rs.950-1500 of Vijayawada Division of SC Rlys basing upon the performance of the direct recruitees in the test conducted by Z.T.C.

55

Moula-Ali at the end of the initial training ~~at the training school~~ after setting aside the seniority list dt.14.5.1996 and 30.1.1996.

4. The concise facts of this case are as follows :

In the year 1986 a number of apprentices Foremen 'A' were recruited through R.R.B.Sec'bad. ~~Maximally~~ The recruits to that post have to undergo training for 24 months comprising of training in the field i.e. in the Shed, training in Train Operations and training in the Training School. ^{training in the school} The /includes both the learning of general and subsidiary rules and other details connected with the train operations.

5. The apprentices after training were allotted and posted to various divisions of S.C.Rlys. The applicants herein were posted to Vijayawada Division of SC Rlys.

6. The Respondents submit that as the number of trainees were large, they could not be sent to each ^{phase} ~~face~~ of training together but they ^{were} ~~have to be~~ split and sent for training to various divisions. Hence all the trainees who were later allotted to Vijayawada Division could not be sent to training school at Moula-Ali at one stretch. They were sent ~~on~~ in rotation. In that some seniors were sent later and vice-versa. In view of that, the assessment of the training at Training School was done at different times. Some of the senior trainees failed in the training school at Moula-Ali. Considering all these points, a seniority list was prepared by the Vijayawada Division as per the merit position obtained by the apprentices in RRB selection instead of adhering to the para-303 (a) of IREM, 1989 edition.

- 4 -

7. The applicants submit that preparation of seniority list ignoring the instructions given in para-303 (a) is irregular and there is no rule to prepare the seniority list in accordance with the R.R.B. merit position. As the Respondents failed to adhere to Rule-303 (a) of IREM in fixing the seniority ~~list~~ of the applicants, a direction has to be given to the Respondents ~~stick to the rule~~ to embodied in para-303 (a) of IREM, 1989 edition.

8. Official respondents submit that the adherence to the merit position as given by the merit list of R.R.B. was necessitated as all the trainees were not sent ^{for} to training at ZTC at Moula-Ali ^a in one lot and hence there may not be proper comparison if seniority list was prepared adhering to para-303 (a) of IREM. Hence the division referred the case to headquarters office for deciding the method of fixing the seniority list of Diesel Assistants. The Chief Personnel Officer had given instructions that the seniority list may be prepared as per the merit position as given by the R.R.B. and hence these instructions were followed by the Vijayawada Division of SC Rlys. In that view, the respondents submit that there ^{is} ~~was~~ no irregularity committed in this connection in finalising the seniority of applicants herein belonging to Vijayawada Division.

9. The learned counsel for the applicant claims that the seniority list prepared at Vijayawada Division ignoring para-303 (a) is irregular and such instructions cannot be given by the C.P.O. also when the provisions of the IREM reads otherwise. If at all any deviation is necessary, that cannot be done by the CPO. The division per force has to comply with the provisions of IREM. The learned counsel for the applicants further ...5.

submits that Sec'bad division had strictly followed the provisions of IREM. Hence there is no reason for Vijayawada Division to deviate from the provisions of IREM.

10. Learned counsel for the Respondents submits that the Sec'bad Division followed the IREM strictly because the situation like that of Vijayawada Division had not arisen in Sec'bad Division. We find that this submission is not a proper one. When bifurcation/allotment to division takes place only after completion of training of Direct Recruits, it may be possible that some of the trainees allotted to Sec'bad Division could have undergone the training at ZTC, Moula-Ali in different phases. But it will be difficult to ascertain that position at this stage. Hence the seniority position as decided by Sec'bad Division is concerned may not^{also} be right. We do not want to further analyse this issue of preparation of seniority list by Sec'bad division as it is difficult to obtain the correct position as it had happened way back in 1989.

11. The IREM provisions though not framed under Article 309 of Constitution of India, has a force of statutory rule as it has been followed through out the Indian Railway. Hence in our opinion any modification that has to be resorted to the IREM rules, such modifications can only be done with the approval of Railway Board. Even the General Manager, in our opinion may not be a proper authority to instruct the preparation of seniority in a method which is not provided for in the IREM. The present case is one such case. Hence it is necessary that the Railway Board should consider the pros and cons of this issue and give

a suitable directions for preparation of seniority list of the
...6.

Foremen 'A' appointed in the year 1986 especially the applicants herein.

12. The learned counsel for the private respondents Sri Shiva submits that eventhough a decision can be taken by the Board, the present seniority, which is now under question should be followed till such time a final decision is taken and the seniority list is revised on the basis of Board's order.

13. Running of the trains cannot be brought to a stand-still for non availability of appropriate grade of staff. Service benefits by way of promotion and other such benefits should be granted in time. If non grant of these benefits is going to affect train operations, the same should be granted without waiting for the final decision. In view of the above, some seniority list has to be followed during the inter^{im}gnum period. Whether the seniority list of 1994 should be followed or the later list of 1996 is to be followed is a matter of examination of the respondents on the basis that the follow^{up} ⁱⁿ that seniority list may not materially affect large number of staff in that seniority unit. As far as possible no service benefit in the inter^{im}gnum period till a decision is received by the Railway Board should be extended. But in the exigencies of the services, if it is necessary to give benefits, then that seniority list which will not cause much disadvantage to a large number of staff in that seniority unit should be followed till a decision is received from the Railway Board and the seniority list is revised accordingly. Even if some service benefits are given in

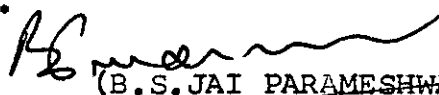
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some cases, those benefits should be only on adhoc basis without confirming any right on those who received that benefits in the inter^mignum period. This should be made very clear in the orders that are to be issued granting the service benefits.

14. In view of what is stated above, a firm decision in this connection in regard to the method of fixation of seniority of apprentices Fireman 'A' who were appointed in the year 1986 should be taken by the Railway Board on the basis of the materials to be submitted by the zonal railway. Time for compliance is two months from the date of receipt of this order. This time limit is fixed as the learned counsel for the official Respondents submits that the running category is an sensitive category and hence issue of the seniority list is a must. That view of the respondents only ^{has compelled us} ~~resulted in this direction~~ to issue ^{the direction that} ~~of~~ the seniority list ^{should be finalised} within a short period of two months. The service benefits if any obtained by any one during the inter^mignum period as above is only on adhoc basis without any right to continue the same after issue of the final seniority list on the basis of the Railway Board's order. The employees who got the benefits during that inter^mignum period are not eligible to continue that benefit after the issue of the final seniority list if such benefits cannot be given to them after the issue of the final seniority list.

15. With the above direction, the OA is ordered accordingly.

No costs.



(B.S. JAI PARAMESHWAR)
Member (J)
29.9.99


(R. RANGARAJAN)
Member (A)

Dated: 29th September, 1999.

Dictated in Open Court.

avl/


5/10/99

IST AND TIND COURT

25/10/99

COPY TO :-

1. HCHND
2. HRRN M (A)
3. HBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADMOCATE
7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.: HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE - CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN :
MEMBER (ADMN.)

THE HON'BLE MR. S. S. JAI PARAMESWAR
MEMBER (JUDL.)

* * *

DATE OF ORDER: 25/10/99

MA/RA/CP NO.

IN 1445/92

CA. NO.

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

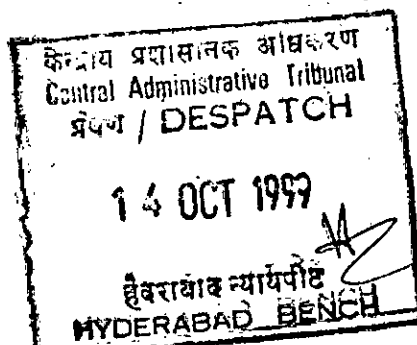
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

10 copies



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40. P. Srinivas Rao, Goods Driver, CCE/O/RJY. Rajamundry.
41. V.V.L.N. Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
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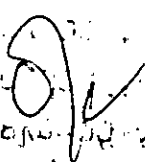
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Given under my hand and the seal of this Tribunal, this theTwenty Eighth, day of October, 1997.

//BY ORDER OF THE TRIBUNAL//

Date. 6-11-97.

FOR REGISTRAR



CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden,Hyderabad-500004.A.P.

ORIGINAL APPLICATION NO. 1445/1997.

Applicant(S)	V/S	Respondent(S)
K.V.Unni Krishnan.&5others.		P.Anose, Goods Driver,CCC/L/BZA. Vijayawada.&54others.
Represented by Advocate Shri:K.S.Murthy.		Represented by Advocate Shri:J.R.Gopala Rao, SC for Rlys.

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- /37. N.Dayakar, Goods Driver, CC/C/STTR Bitragunta.
- /38. G.Gopala Krishna Murthy.Goods Driver, CCC/O/RJY.Rajamundry.

....Contd..2.

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Trib
ब्रेक / DESPATCH
17 NOV 1997
HYDERABAD BENCH

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden,Hyderabad-500004.A.P.

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//BY ORDER OF THE TRIBUNAL//

Date.6-11-97.


FOR REGISTRAR.

Form No. 8
(See Rule 29)

BY.R.P.A.D.

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43. SK.N.A.Jani, Goods Driver, CCC/D/BETR.Bitragunta.
44. Y.Babu Rao, Goods Driver CCC/D/RJY.Rajamundry.
45. Ch.Naga Raju, Goods Driver, CCC/D/RJY.Rajamundry.
46. K.P.S.Narayana, Goods Driver, CCC/D/RJY.Rajamundry.
47. G.Sunanda Kumar, Goods Driver, CCC/D/RJY.Rajamundry.
48. B.Ramakrishna Goods Driver, CCC/D/RJY.Rajamundry.
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52. Chief Personal Officer, South Central Railway, Rail Nilayam, Secunderabad.
53. The Divisional Railway Manager, Vijayawada Division, South Central Railway, Vijayawada.
54. The Senior Divisional Personal Officer, Vijayawada Division, South Central Railway, Vijayawada.
55. The Assistant Personal Officer (Mechanical) South Central Railway, Vijayawada.

Whereas an application filed by the above named applicant under Section 19 the administrative Tribunal Act, 1985, as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has directed that you should be given an opportunity to show cause why the application should not be admitted.

Notice is hereby given to you to appear in this Bench of the Tribunal in person or through a Legal practitioner presenting Officer in this matter at 10-30 A.M. OF the.. Twenty First.....day of N.....November.....1997.. to show cause, why the application should not be admitted. If you fail to appear, the application will be heard and decided in your absence.

Given under my hand and the seal of this Tribunal, this theTwenty Eighth,....day ofOctober....1997.

//BY ORDER OF THE TRIBUNAL//

Date.6-11-97..


FOR REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden,Hyderabad-500004.A.P.

ORIGINAL APPLICATION NO. 1445/1997.

Applicant(S)

V/S/

Respondent(S)

K.V.Unni Krishnan.&5others.

P.Anose, Goods Driver,CCC/L/BZA.
Vijayawada.&54others.

Represented by
Advocate Shri:K.S.Murthy.

Represented by
Advocate Shri:J.R.Gopala Rao.
SC For Rlys.

To.

1. P.Anose, Goods Driver,CCC/L/BZA.Vijayawada.
2. CDA Glower, Goods Driver, CCC/O/RLY.Rajamundry.
3. P.Saelesh, Goods Driver, CCC/L/BZA.Vijayawada.
4. CH.V.Sridhar.Goods Driver, CCC/TRD/BZA.Vijayawada.
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24. P.V.Seshaiah, Goods Driver, CC/O/BTTR.~~Sixxxxxxxx~~ Bitragunta.
25. CH.Pratap Kumar, Goods Driver, CC/O/BTTR.Bitragunta.
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Given under my hand and the seal of this Tribunal, this theTwenty Eighth,...day ofOctober....1997.

//BY ORDER OF THE TRIBUNAL//

Date. 6-11-97.

[Signature]
FOR REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden,Hyderabad-500004.A.P.

ORIGINAL APPLICATION NO. 1445/1997.

Applicant(S)	V/S	Respondent(S)
K.V.Unni Krishnan.&5others.		P.Anose, Goods Driver,CCC/L/BZA. Vijayawada.&54others.
Represented by Advocate Shri:K.S.Murthy.		Represented by Advocate Shri:J.R.Gopala Rao. SC for Rlys.

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Given under my hand and the seal of this Tribunal, this the Twenty Eighth day of October, 1997.

By ORDER OF THE TRIBUNAL
 Date 26-10-1997
 REGISTRAR

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACH Bhavan, Opp:Public Garden,Hyderabad-500004,A.P.

ORIGINAL APPLICATION NO. 1445/1997.

Applicant(S)

K.V.Unni Krishnan.&5others.

Represented by
Advocate Shri:K.S.Murthy.

V/3

Respondent(S)

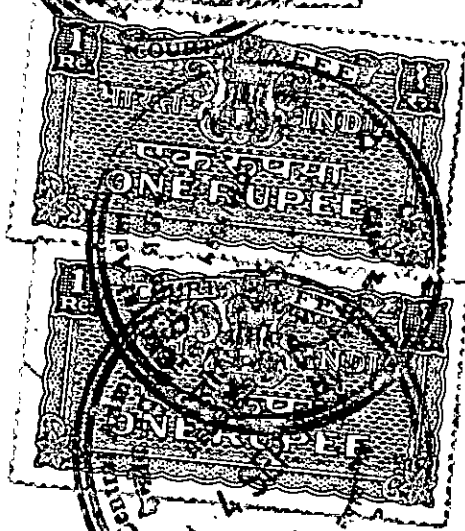
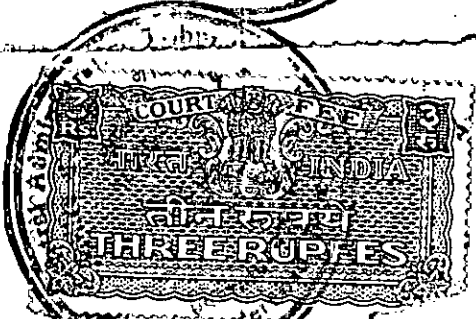
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Vijayawada.&54others.

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SC for Rlys.

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37. N.Dayakar, Goods Driver, CC/O/BTTR Bitragunta.
38. G.Gopala Krishna Murthy.Goods Driver, CCC/O/RJY.Rajamundry.

....Contd..2.



In the Court of the

CAT HYD Bench

At Hyd

CA No. of 19 97

Between :

Plaintiff

10. M. Muni Krishna Rao, Petitioner

506 Appellant
Complainant

AND

Defendant
Respondent

S. C. Reddy and 50 others Accused

VAKALAT
Accepted

Filed on 4.9.97 19 97

Advocate for :

Address for Service

K. S. MURTHY
MSC. BL.

A. S. PRASAD
BSC. BL.

212 Lingapur House,
Himayatnagar, Hyderabad-29.

In the Court of the CENTRA ADMINISTRATIVE TRIBUNAL

AT..... HYDERABAD

OA No. 1445 of 1997

K. V. Vamsi Krishna & Co

Plaintiff

Appellant

AND

General Manager S.C. Railway

Defendent

Railways Secunderabad

Respondent

I/W.....

do hereby appoint and retain

K. S. N. Murthy
AND

PANIRAJU

ADVOCATES



Advocate/s to appear for me/us in the above suit/case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed there in, I/We empower my/our Advocates to appear in all miscellaneous proceedings in the above suit or matter till all decrees or order or fully satisfied or adjusted to compromise and to obtain the return of documents and draw any moneys that might be payable to me/us in the said suit or of matter (and I/we do further empower my/our Advocates to accept on my/our behalf, service of notice of all or any appeals or petitions filed in any court of Appeal, Reference or Revision with regard to the said suit or matter before the disposal of the same in this Honourable Court)

K. V. Vamsi Krishna

Ch. Satyanarayana

B. Veerakumara

Abdullah Ayub Jani

Ch. Satyanarayana

Ch. Venkatesh

Certified that the executant who is well acquainted with English/Urdu/Telugu and this Vakalatnama and the contents of the Vakalatnama have been read over and explained in Telugu/Urdu to executant as he/she they being unacquainted with English who appeared perfectly to understand the same and signed or put he/her/their name or mark in my presence identified by.

Executed

4th day of sep 1997

Advocate

.....District

Central Administrative
Tribunal at Hyderabad.



O.A. No. 1445 of 1997

NOTE OF APPEARANCE

Mr. J. R. Gopala Rao.

Counsel for Respondent

51 to 55

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

O.A. NO. 1445

of 1997

K. V. Unni Krishnan and
Others

....Applicant

Vs.

P. Amose and 54 Others

....Respondents.

To,

The Registrar,
Central Administrative Tribunal
Hyderabad.

Sir,

Please enter my appearance in the above case on
behalf of the Respondents 51 to 55



Hyderabad

Sriopal Rao
Counsel for Respondents 51 to 55

Dated 27/4/98

Lr.No.CAT/Hyd/Judl/OA.1447/97.

9.8.1999.

To

The Sr. Divisional Personnel Officer,
South Central Railway,
Vijayawada Division,
Vijayawada.

Sir,

Sub: Effective service of Notice on the unserved
respondents in OA.1445/97 Reg:...

Ref: Orders of the Tribunal dt. 30.6.99 made in
O.A.1445/97.

The above OA has been listed for orders before the Hon'ble
Bench of this Tribunal and the Hon'ble Bench on 30.6.99 directed
to handover the necessary copies to the respondents counsel for
transmitting them to you for further serving the notices on the,
respondents i.e. R-1, R-3 to R-17, R-24, 27, 32, 36, 37, 41 & R-49 who
are working under your control.

Hence I am herewith enclosing the notices in duplicate
serving the same on the above said respondents. Please
duplicate notice duly obtaining the signature of the
in token of receipt of the notices, on or before
fail.

Yours

(P.)

Encl: Notice in duplicate (23)

Bhakti

12/7/99

for J.R. Gopala Rao

48. B.Rama Krishna Godds Driver, CCC/O/RJY.Rajamundry.
49. D.P.C.Rao, Goods Driver, CCC/O/RJY.Rajamundry.
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.

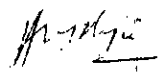
Whereas an application filed by the above named applicant under section 19 of the Administrative tribunal Act, 1985 as in the copy annexed herewith has been registered and upon preliminary hearing the Tribunal has admitted the application.

Notice is hereby given to you that if you wish to contest the application you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.


FOR REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T. P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri. Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

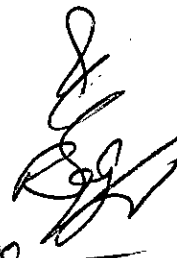
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16. SK. Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada.
17. Ab. Azeez, Goods Driver, CCC/O/BTTR. Bitragunta.
18. K. Nageswara Rao, Goods Driver, CCC/O/RJY. Rajamundry.
19. SK. J. Hussain, Goods Driver, CCC/O/RJY. Rajamundry.
20. T. N. V. Sekhar, Goods Driver, CCC/O/BTTR. Bitragunta.
21. D. Venugopal Goods Driver, CC/O/BTTR. Bitragunta.
22. G. Meher Babu, Goods Driver, CC/O/BTTR. Bitragunta.
23. G. Prakasha Rao, Goods Driver, CC/O/BTTR. Bitragunta.
24. P. V. Seshalaiah, Goods Driver, CC/O/BTTR. Bitragunta.
25. CH. Pratankumar, Goods Driver, CC/O/BTTR. Bitragunta.
26. J. P. M. Dais. Goods Driver, CC/O/BTTR. Bitragunta.
27. D. MD. Vali Basha Goods Driver, CC/O/BTTR. Bitragunta.
28. S. Sitaramam. Goods Driver, CC/O/BTTR. Bitragunta.
29. M. V. R. Mohan, Goods Driver, CCC/O/RJY. Rajamundry.
30. CH. S. R. C. Sekhar Rao. Goods Driver, CCC/O/RJY. Rajamundry.
31. N. Surana Raju, Goods Driver, CCC/O/RJY. Rajamundry.
32. M. Venu. Goods Driver, CCC/O/RJY. Rajamundry.
33. N. R. Premanand, Goods Driver, CCC/O/RJY. Rajamundry.
34. G. Murali Krishna Goods Driver, CCC/O/RJY. Rajamundry.
35. K. Anil Kumar, Goods Driver, CCC/O/RJY. Rajamundry.
36. P. V. Satyanarayana. Goods Driver, CCC/O/RJY. Rajamundry.
37. N. Dayakar, Goods Driver, CC/O/BTTR. Bitragunta.
38. G. Gopala Krishna Murthy. Goods Driver, CCC/O/RJY. Rajamundry.
39. D. Bensely, Goods Driver, CC/O/BTTR. Bitragunta.
40. P. Srinivasa Rao, Goods Driver, CCC/J/RJY. Rajamundry.
41. V. V. D. N. Murthy. Goods Driver, CCC/O/RJY. Rajamundry.
42. N. Arjuna Rao, Goods Driver, CCC O RJY. Rajamundry.
43. SK. N. A. Jani, Goods Driver, CCC/O/BTTR. Bitragunta.
44. Y. Babu Rao. Goods Driver, CCC/O/RJY. Rajamundry.
45. Ch. Naga Raju, Goods Driver, CCC/O/RJY. Rajamundry.
46. K. P. S. Naravana. Goods Driver, CCC/O/RJY. Rajamundry.
47. G. Sunanda Kumar. Goods Driver, CCC/O/RJY. Rajamundry.

under your control;

Hence I am herewith
enclosing the notices in
duplicate for serving the
same on the above-said
persons. Please return the
duplicate notice duly
obtaining the signature of
the Respondent, in token of
receipt of the notice,
on or before 28.5.58,
without fail.

Enclosure: Notices
in duplicate
(23)

By 
5/7/58

1+1
to handover the necessary copies to the Respondents Counsel
for transmitting them to you for further serving the
notices on the

CAF, Hyd. Bench, at Hyd

Case no. CAF Hyd / Indl / OA 1445 / 99 -

dt. 7.99

TO

The Sr. D.M. Const. Officer;

PC Rly : Vijaywade Divn;

Vijaywade.

Sir,

Sub: Effective service ^{unserved} notice
on the Respts in OA 1445/99

- Ref -

Ref: - order of the Tribunal
dt. 30.6.99 made in
OA 1445/99 -

The above OA has been
listed ^{for orders as to} before the Hon'ble Bench
of this Tribunal and the Hon'ble
Bench on 30.6.99 directed ~~to~~
~~be sent notices to~~ ^{the} unserved
Respts. i.e. R₁, R₃ & R₁₇, R₂₄,
R₂₇, R₃₂, R₃₆, R₃₇, R₄₁ &
R₄₉ ~~these~~ who are working

48. B.Rama Krishna Godds Driver, CCC/O/RJY.Rajamundry.
49. D.P.C.Rao, Goods Driver, CCC/O/RJY.Rajamundry. — uq. returned.
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.
51.
52.
53.
54.
55.

Whereas an application filed by the above named applicant under section 19 of the Administrative tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

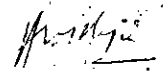
Notice is hereby given to you that, if you wish to contest the application you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal

This the . Twenty First, . . day of November, . . 1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan,&5others.

T.P.Anose.CCC/L/BZA.

Goods Driver, Vijayawada.&54ors.

By Advocate Shri.Mr.K.S.Murthy.

(By/Central Govt.Standing Counsel)

Mr.J.R.Gopala Rao.SC for Rlys.

To,

1. X P. Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY. Rajamundry.
3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada. *Returned.*
4. CH.V. Sridhar Goods Driver, CCC/TRO/BZA, Vijayawada. *Returned.*
5. SK.MD. Khafia Vali, CCC/L/BZA, Vijayawada. *- do -*
6. D.S.K. Krishna Murthy, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
7. D. Srinivasa Rao, Goods Driver, CCC/TRO/BZA, Vijayawada. *Returned.*
8. T.E.R. Stewart, Goods Driver, CCA/TRO/BZA, Vijayawada. *- do -*
9. T. Tirunathi Swamy, Goods Driver, CCC/TRO/BZA, Vijayawada. *Returned.*
10. T.R. Satesh, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
11. D. Srinivas Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
12. D. Rama Krishna, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
13. P. Koteswara Rao, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
14. D. Paul, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
15. G. Ratnam, Goods Driver, CCC/TRO/BZA, Vijayawada. *- do -*
16. SK. Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada. *Returned.*
17. Ab. Azeez, Goods Driver, CCC/O/BTTR. Bitragunta.
18. K. Nageswara Rao, Goods Driver, CCC/O/RJY. Rajamundry.
19. SK. J. Hussain, Goods Driver, CCC/O/RJY. Rajamundry.
20. X T.N.V. Sekhar, Goods Driver, CCC/O/BTTR. Bitragunta.
21. D. Venugopal Goods Driver, CC/O/BTTR. Bitragunta.
22. G. Meher Babu, Goods Driver, CC/O/BTTR. Bitragunta.
23. G. Prakasha Rao, Goods Driver, CC/O/BTTR. Bitragunta.
24. P.V. Seshalaiah, Goods Driver, CC/O/BTTR. Bitragunta.
25. CH. Pratankumar, Goods Driver, CC/O/BTTR. Bitragunta.
26. J.P.M. Baig, Goods Driver, CC/O/BTTR. Bitragunta.
27. D.MD. Vali Basha Goods Driver, CC/O/BTTR. Bitragunta.
28. S. Sitaramam, Goods Driver, CC/O/BTTR. Bitragunta.
29. M.V.R. Mohan, Goods Driver, CCC/O/RJY. Rajamundry.
30. CH. S. RC. Sekhar Rao, Goods Driver, CCC/O/RJY. Rajamundry.
31. N. Surana Raju, Goods Driver, CCC/O/RJY. Rajamundry.
32. M. Venu, Goods Driver, CCC/O/RJY. Rajamundry.
33. N.R. Premanand, Goods Driver, CCC/O/RJY. Rajamundry.
34. G. Murali Krishna Goods Driver, CCC/O/RJY. Rajamundry.
35. K. Anil Kumar, Goods Driver, CCC/O/RJY. Rajamundry.
36. P.V. Satyanarayana, Goods Driver, CCC/O/RJY. Rajamundry. *- 36 Returned.*
37. N. Davakar, Goods Driver, CC/O/BTTR. Bitragunta.
38. G. Gopala Krishna Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
39. D. Bensely, Goods Driver, CC/O/BTTR. Bitragunta.
40. P. Srinivasa Rao, Goods Driver, CCC/J/RJY. Rajamundry.
41. V.V.D.N. Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
42. N. Arjuna Rao, Goods Driver, CCC O RJY. Rajamundry.
43. SK. N.A. Jani, Goods Driver, CCC/O/BTTR. Bitragunta.
44. Y. Babu Rao, Goods Driver, CCC/O/RJY. Rajamundry.
45. Ch. Naga Raju, Goods Driver, CCC/O/RJY. Rajamundry.
46. K.P.S. Naravana, Goods Driver, CCC/O/RJY. Rajamundry.
47. G. Sunanda Kumar, Goods Driver, CCC/O/RJY. Rajamundry.

48. B.Rama Krishna Goods Driver, CCC/O/RJY, Rajamundry.
49. D.P.C. Rao, Goods Driver, CCC/O/RJY, Rajamundry.
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY, Rajamundry.

Whereas an application filed by the above named applicant under section 19 of the Administrative tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

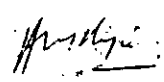
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Issued under my hand and the seal of the Tribunal

This the Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.


FOR REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp:Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)	V/S	Respondent(S)
K.V.Unnin Krishnan,&5others.		T P.Anose.CCC/L/BZA. Goods Driver, Vijayawada.&54ors.
By Advocate Shri.Mr.K.S.Murthy.		(By/Central Govt.Standing Counsel) Mr.J.R.Gopala Rao.SC for Plvs.

To.

1. P.Anose, Goods Driver,CCC/L/BZA,Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY.Rajamundry.
3. P.Saelesh, Goods Driver, CCC/L/BZA,Vijayawada.
4. CH.V.Sridhar Goods Driver, CCC/TRO/BZA.Vijayawada.
5. SK.MD.Khaifa Vali,CCC/L/BZA,Vijayawada.
6. D.S.K.Krishna Murthy.Goods Driver, CCC/TRO/BZA.Vijayawada.
7. D.Srinivasa Rao,Goods Driver, CCC/TRO/BZA.Vijayawada.
8. T.E.R.Stewart, Goods Driver, CCA/TRO/BZA.Vijayawada.
9. T.Tirunathi Swamy,Goods Driver, CCC/TRO/BZA.Vijayawada.
10. T.R.Satesh, Goods Driver, CCC/TRO/BZA.Vijayawada.
11. D.Srinivas Goods Driver, CCC/TRO/BZA.Vijayawada.
12. D.Rama Krishna .Goods Driver,CCC/TRO/BZA.Vijayawada.
13. P.Koteswara Rao,Goods Driver, CCC/TRO/BZA.Vijayawada.
14. D.Paul, Goods Driver, CCC/TRO/BZA,Vijayawada.
15. G.Ratnam.Goods Driver, CCC/TRO/BZA.Vijayawada.
16. SK.Mastan, Goods Driver, CCC/TRO/BZA.Vijayawada.
17. Ab.Azeez,Goods Driver, CCC/O/BTTR.Bitragunta.
18. K.Nageswara Rao,Goods Driver, CCC/O/RJY.Rajamundry.
19. SK.J.Hussain,Goods Driver, CCC/O/RJY.Rajamundry.
20. T.N.V.Sekhar,Goods Driver,CCC/O/BTTR.Bitragunta.
21. D.Venugopal Goods Driver, CC/O/BTTR.Bitragunta.
22. G.Meher Babu, Goods Driver, CC/O/BTTR.Bitragunta.
23. G.Prakasha Rao, Goods Driver, CC/O/BTTR.Bitragunta.
24. P.V.Seshaiah, Goods Driver, CC/O/BTTR.Bitragunta.
25. CH.Prataankumar, Goods Driver, CC/O/BTTR.Bitragunata.
26. J.P.M.Dais, Goods Driver,CC/O/BTTR.Bitragunta.
27. D.MD.Vali Basha Goods Driver, CC/O/BTTR.Bitragunta.
28. S.Sitaramam.Goods Driver, CC/O/BTTR Bitragunta.
29. M.V.R.Mohan, Goods Driver, CCC/O/RJY.Rajamundry.
30. CH.S.RC.Sekhar Rao.Goods Driver,CCC/O/RJY.Rajamundry.
31. N.Surana Raju,Goods Driver, CCC/O/RJY.Rajamundry.
32. M.Venu.Goods Drver, CCC/O/RJY.Rajamundry.
33. N.R.Premanand, Goods Driver, CCC/O/RJY.Rajamundry.
34. G.Murali Krishna Goods Driver, CCC/O/RJY.Rajamundry.
35. K.Anil Kumar, Goods Driver, CCC/O/RJY.Rajamundry.
36. P.V.Satyanarayana.Goods Driver, CCC/O/RJY.Rajamundry.
37. N.Davakar, Goods Driver,CC/O/BTTR.Bitragunta.
38. G.Gopala Krishna Murthy.Goods Driver, CCC/O/RJY,Rajamundry.
39. D.Bensely,Goods Driver, CC/O/BTTR.Bitragunta.
40. P.Srinivasa Rao, Goods Driver, CCC/J/RJY.Rajamundry.
41. V.V.D.N.Murthy.Goods Driver, CCC/O/RJY.Rajamundry.
42. N.Arjuna Rao, Goods Driver, CCC O/RJY.Rajamundry.
43. SK.N.A.Jani,Goods Driver, CCC/O/BTTR.Bitragunta.
44. Y.Babu Rao.Goods Driver, CCC/O/RJY.Rajamundry.
45. Ch.Naga Raju,Goods Driver, CCC/O/RJY.Rajamundry.
46. K.P.S.Narayana.Goods Driver,CCC/O/RJY,Rajamundry.
47. G.Sunanda Kumar.Goods Driver, CCC/O/RJY.Rajamundry.

K.S.MURTHY

Advocate

To,
The Registrar,
Central Administrative Tribunal,
Hyderabad Bench,
Hyderabad.

Sir,

Sub:- Service of Notice to some of the un official respondents in OA1445/97-reg.

I have fled this O.A challenging the seniority list of Fireman 'A', in Vijayawada division of the SCRailway.

The registry informed that as many as 20 respondents who were made party as they will be affected parties were not served with the notices.

Inquiries reveal that unless this Hon'ble court directs that the notices be served through the department notices may not be served .

Hence it is requested to place this matter before the Hon'ble bench so that the court may order notice through the department head.

Thanking you,


(K.S.Murthy)

28-6-1999

12-2-828/A/45, upstairs, Ambagardens, Mehdiapatnam, Hyderabad-500 028
Ph: 3513541 & 3514002

E-Mail: ksmurthylaw@hotmail.com

*Porta
id. Port. Inq. II km
(13.07)
5/6*

32/8/99
FREE ON GOVERNMENT SERVICE

Head of Allocation: 01312-19

Accounting Unit: : Sr.DAO/B2a

Vijayawada.

Dated: 02-08-1999.

NO.B/P.663/LAW/CAT/90/97.

2/8/99
वरिष्ठ मंडल कार्यालय अधिकारी
Sr. Divisional Personnel Officer,
S.C.Rly. Vijayawada.
Sr. DIVISIONAL PERSONNEL OFFICER
S. C. RLY VIJAYAWADA

To
The Deputy Registrar,
Central Administrative Tribunal,
NO.5-10-193, 1st Floor,
HACA BHAVAN, (OPP: Public Gardens),
H Y D E R A B A D-500004.

Judl
13/8/99
F.B. 1/2
7/16/8
SERVICE DELAYED ON PARTY RESPONDENTS O.A. NO.1445/97
DUE TO UNAVAILABILITY OF ONE EMPLOYEE EXPECTED WEEK END. YOUR
LETTER NO:CAT/HD/JUDL/O.A.1445/97, DATED 09-07-99.

2/8/99
वरिष्ठ मंडल कार्यालय अधिकारी
Sr. Divisional Personnel Officer,
S.C.Rly. Vijayawada.
Sr. DIVISIONAL PERSONNEL OFFICER
S. C. RLY VIJAYAWADA

Confirmation Copy.

376
13/8/99

सर्विस अधिकारी Central Administrative Tribunal नया रायपुर HYDRABAD BRANCH 13 AUG 1999 RECEIVED सर्विस अधिकारी

SOUTH CENTRAL RAILWAY

Office of the
Divl. Railway Manager,
Personnel Branch,
Vijayawada.

NO.B/P.648 /LAW/CAT/90/97.

Dated: 04-08-1999.

To
The Deputy Registrar,
No.5-10-193, 1st Floor,
HACA Bhavan, Post Bag No.10,
(OPP:Public Gardens),
HYDERABAD-500004.



Sir,

Sub:- O.A.No.1445/97 filed by Sri K.V.Unnikrishnan & Others before CAT/HYB.

Ref:- Your Letter No.CAT/Hyd/Judl/C.A.1445/97,
dated 09-07-99.

The copy of O.A. together with the notice have been served on all the following party Respondents except one Sri P.Koteswara Rao, Goods Driver/CCC/TRO/BZA (Serial No.13 of the Notice) who expired on 01-05-99.

Sl.No.	Name & Designation	Station
1)	P.Amose, Goods Driver,	Diesel/BZA
2)	P.Sailesh, Goods Driver,	Diesel/BZA
3)	Ch.V.Sridhar, Goods Driver	T/BZA
4)	Sk.Md.Khajavalli, Goods Driver,	Diesel/BZA
5)	G.G.K.Krishna Murthy, - do -	T/BZA
6)	D.Srinivasa Rao, - do -	T/BZA
7)	T.E.R.Stewart, - do -	T/BZA
8)	T.Tirupathi Swamy, - do -	T/BZA
9)	T.R.Satish, - do -	T/BZA
10)	D.Srinivas, - do -	T/BZA
11)	D.Ramakrishna, - do -	T/BZA


<u>Sl. No.</u>	<u>Name/Designation</u>	<u>Station</u>
13)	D. Paul, Goods Driver,	T/B ZA
13)	G. Ratnam, Goods Driver,	T/B ZA
14)	Sk. Mastan, Goods Driver,	T/B ZA
15))	M. Venu, Goods Driver,	T/RJY
16)	P. V. Satyanarayana, Goods Driver,	T/RJY
17)	V. V. B. N. Murthy, Goods Driver,	T/RJY
18)	D. P. C. Rao, Goods Driver,	T/RJY
19)	Ab. Azeez, Goods Driver,	T/BTR
20)	P. V. Sheshaiah, Goods Driver,	T/BTR
21)	N. Dayakar, Goods Driver,	T/B ZA
22)	D. Md. Valli Basha, Goods Driver,	T/B ZA

The duplicate copies of the notice (22) are sent herewith in proof of the service.

However, the O.A. copy could not be served on Sri P. Koteswara Rao, Goods Driver/CCC/TRO/B ZA as he had expired on 01-05-99. Hence, the O.A. copy with notice is returned herewith.

Encl: As above.

Yours faithfully,


/Divisional Railway Manager(P),
S.C.Rly, Vijayawada.

C/- Sri J. R. Gopala Rao,
Standing Counsel for Railways,
Plot No. 8-27, House No. 2-2-18/64,
Durgabhai Deshmukh Colony,
H Y D E R A B A D-500013.

C/- Law Officer/SC

C/- DY.CPO/Courts/SC

XXXXXX
For Kind Information.
XXXXXX

48. B.Rama Krishna Godds Driver, CCC/O/RJY.Rajamundry.
49. D.P.C.Rao, Goods Driver, CCC/O/RJY.Rajamundry. ✓
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.

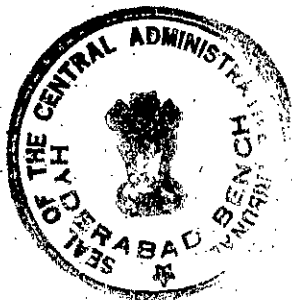
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Issued under my hand and the seal of the Tribunal
This the 21 Twenty First, ... day of November, ..1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received original copy with enclosures

Signature

Date

NAME

Designation

Sfn

P. Anose

Goods Driver

Form No. 9.

(See Rule 29)

BY.R.P.A.D.

दुप्लीकेट नुमाई DUPLICATE

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T. P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

To.

1. P. Anose, Goods Driver, CCC/L/BZA, Vijayawada. ✓
2. CDA Glower, Goods Driver, CCC/D/RLY. Rajamundry. ✓
3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada. ✓
4. CH. V. Sridhar Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
5. SK. MD. Khaja Vali, CCC/L/BZA, Vijayawada. ✓
6. D. S. K. Krishna Murthy. Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
7. D. Srinivasa Rao, Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
8. T. E. R. Stewart, Goods Driver, CCA/TRO/BZA. Vijayawada. ✓
9. T. Tirunathi Swamy, Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
10. T. R. Satesh, Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
11. D. Srinivas Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
12. D. Rama Krishna. Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
13. P. Koteshwara Rao, Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
14. D. Paul, Goods Driver, CCC/TRO/BZA, Vijayawada. ✓
15. G. Ratnam. Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
16. SK. Mastan, Goods Driver, CCC/TRO/BZA. Vijayawada. ✓
17. Ab. Azeez, Goods Driver, CCC/O/BTTR. Bitragunta. ✓
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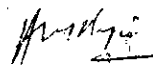
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Issued under my hand and the seal of the Tribunal
This the .@ Twenty First, . . day of November, ..1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



Received original copy with enclosures

Signature: P. J. R.

Date: 21.7.1995

Name: P. SAELESH

Design: Goods Driver Form No. 9

Stm: SA (See Rule 29)

BY.R.P.A.D.

पुसरी प्रति DUPLICATE

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 5 others.

T.P.Anose, CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

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This the ... Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received Original letter with enclosing.

Signature C.V. Sridhar

Date 02-08-99
Name C.V. Sridhar Form No. 9.

CHSRI OHA पुनरी प्रति DUPLICATE

Goods Driver 312

Design / Ann (See Rule 29) q/driver T.N. V.

BY.R.P.A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACS Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

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V/S

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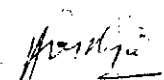
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Issued under my hand and the seal of the Tribunal
This the .. Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.


FOR REGISTRAR.



Received Original

only letter

with enclosure.

Signature - Shree

Date - 31-7-99 No. 9.

Name - SK. MD. KADIA VALI

BY. R. P. A. D.

Design / Str - Goods Driver / BZA.

दुप्लीकेट COPY

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

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V/S

Respondent(S)

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Goods Driver, Vijayawada. & 54 ors.

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This the ... Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received original letter with enclosure

Signed by — G. G. K. Murthy

Date — 31.07.99

Name —

Form No. 9.
G. G. K. MURTHY
(See Rule 29)

BY. R. P. A. D.

Design / dm — Goods Driver / Vijayawada

पुनरी

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

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28. S. Sitaramam, Goods Driver, CC/O/BTTR. Bitragunta.
29. M. V. R. Mohan, Goods Driver, CCC/O/RJY. Rajamundry.
30. CH. S. R. C. Sekhar Rao. Goods Driver, CCC/O/RJY. Rajamundry.
31. N. Surana Raju, Goods Driver, CCC/O/RJY. Rajamundry.
32. M. Venu. Goods Driver, CCC/O/RJY. Rajamundry.
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47. G. Sunanda Kumar. Goods Driver, CCC/O/RJY. Rajamundry.

.....Contd..2..

48. B.Rama Krishna Goods Driver, CCC/O/RJY.Rajamundry.
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50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.

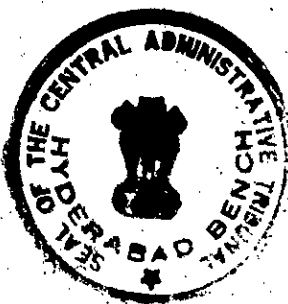
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Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received Original letter
with enclosures
Signature — [Signature]
Date — 31.7.1999
Form No. 9.

दुसरी प्रति DUPLICATE

Name — D. Sreenivasa Rao (See Rule 28)

BY.R.P.A.P.

Design / from — GOODS DRIVER / BZA

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD:

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T. P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 540rs.

By Advocate Shri. Mr. K.S. Murthy.

(By Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Mys.

To.

1. P. Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY. Rajamundry.
3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada.
4. CH.V. Sridhar Goods Driver, CCC/TRO/BZA, Vijayawada.
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9. T. Tirunathi Swamy, Goods Driver, CCC/TRO/BZA, Vijayawada.
10. T.R. Satesh, Goods Driver, CCC/TRO/BZA, Vijayawada.
11. D. Srinivas Goods Driver, CCC/TRO/BZA, Vijayawada.
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13. P. Koteswara Rao, Goods Driver, CCC/TRO/BZA, Vijayawada.
14. D. Paul, Goods Driver, CCC/TRO/BZA, Vijayawada.
15. G. Ratnam. Goods Driver, CCC/TRO/BZA, Vijayawada.
16. SK. Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada.
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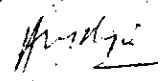
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Issued under my hand and the seal of the Tribunal
This the . 21 Twenty First, . . day of November, . . 1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



Received Original letter with enclosure

दुसरी प्रति DUPLICATE

Signature - T. A. H. H. H. H. H.

Date - 31/7/99 Form No. 9.

Name - (See Rule 29) T. A. H. H. H. H. H.

BY. R. P. A. D.

Signature - G. D. V. V. V. V. V.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

Applicant(S)

V/S

Respondent(S)

K.V. Unnin Krishnan, & 50 others.

T. P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 540rs.

By Advocate Shri. Mr. K. S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J. R. Gopala Rao. SC for Rlys.

To.

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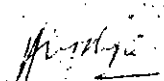
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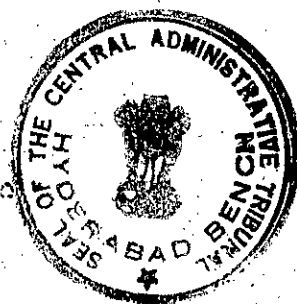
Issued under my hand and the seal of the Tribunal

This the ~~21~~ Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



Aminal Original letter with enclosures.

Signature — T. Tirupathi Swamy ✓

Date — Goods DRIVER 30.7.99 **दुप्लीकेट डुप्लिकेट**
Form No.9.

Name — (See Rule 29) T. TIRUPATHI SWAMY
BY. R.P.A.D.

Design — (88n — ET 285/BZA

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad d- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T. P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri. Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

To.

1. P. Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY. Rajamundry.
3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada.
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Issued under my hand and the seal of the Tribunal
This the ~~20~~ Twenty First, day of November, 1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received original letter with
enclosures

दुप्लीकेट डुप्लिकेट

Signature T.R. Satesh Form No. 9.

Date 31/12/97 (See Rule 29)

BY R.P.A.D.

Name T.R. SATESH

Designation Goods Driver from BZA

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad - 500004A.P.

ORIGINAL APPLICATION NO. 145/97.

Applicant(S) V/S Respondent(S)
K.V. Unnin Krishnan, & 50 others. T.P. Anose, CCC/L/BZA.
Goods Driver, Vijayawada & 540rs.

By Advocate Shri Mr. K.S. Murthy. (By/Central Govt. Standing Counsel)
Mr. J.R. Gopala Rao, SC for Rlys.

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32. M. Venu, Goods Driver, CCC/O/RJY. Rajamundry.
33. N.R. Premanand, Goods Driver, CCC/O/RJY. Rajamundry.
34. G. Murali Krishna, Goods Driver, CCC/O/RJY. Rajamundry.
35. K. Anil Kumar, Goods Driver, CCC/O/RJY. Rajamundry.
36. P.V. Satvanarayana, Goods Driver, CCC/O/RJY. Rajamundry.
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41. V.V.B.N. Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
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43. SK. N.A. Jani, Goods Driver, CCC/O/BTR. Bitragunta.
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45. Ch. Naga Raju, Goods Driver, CCC/O/RJY. Rajamundry.
46. K.P.S. Naravana, Goods Driver, CCG/O/RJY. Rajamundry.
47. G. Sunanda Kumar, Goods Driver, CCC/O/RJY. Rajamundry.

.....Contd..2.

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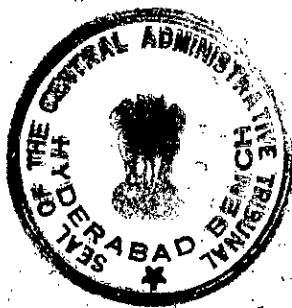
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Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received original letter with enclosures

Signature:- D Srinivas

Date - 30.07.99.

NAME D SRINIVAS

Design/STN:- Goods Driver Form No. 9 290

CCC/BZA (See Rule 29)

BY.R.P.A.P.

दुप्लीकेट डुप्लिकेट

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 5 others.

T P Anose.CCC/L/BZA.

Goods Driver, Vijayawada.&54ors.

By Advocate Shri.Mr.K.S.Murthy.

(By/Central Govt.Standing Counsel)

Mr.J.R.Gopala Rao.SC for Rlys.

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11. D.Srinivas Goods Driver, CCC/TRO/BZA.Vijayawada.
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14. D.Paul, Goods Driver, CCC/TRO/BZA, Vijayawada.
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32. M.Venu.Goods Drver, CCC/O/RJY.Rajamundry.
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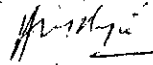
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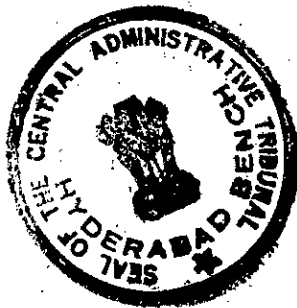
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Issued under my hand and the seal of the Tribunal
This the 21 Twenty First, .. day of November, ...1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



First copy duplicate

Received original from

with enclosure

Form No. 9.

(See Rule 29)

BY R.P.A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

Applicant(s) V/S Respondent(s)

K.V. Unnikrishnan, & others.

P. Anose, CCC/L/BZA.

Goods Driver, Vijayawada & others.

By Advocate Shri Mr. K.S. Murthy.

(By Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao, SC for Plys.

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4. CH. V. Sridhar, Goods Driver, CCC/TRO/BZA, Vijayawada.
5. SK. MD. Khaja Vail, CCC/L/BZA, Vijayawada.
6. D.S.K. Krishna Murthy, Goods Driver, CCC/TRO/BZA, Vijayawada.
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24. P.V. Seshatah, Goods Driver, CCC/O/BTR, Vijayawada.
25. CH. Pratankumar, Goods Driver, CCC/O/BTR, Vijayawada.
26. J.P. M. Dats, Goods Driver, CCC/O/BTR, Vijayawada.
27. D. MD. Vail Bashta, Goods Driver, CCC/O/BTR, Vijayawada.
28. S. Sitararam, Goods Driver, CCC/O/BTR, Vijayawada.
29. M.V.R. Mohan, Goods Driver, CCC/O/RLY, Rajamundry.
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This the .. Twenty First, .. day of November, ..1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received On. 21st 6/11/19
with enclosures.

पुनरी प्रति DUPLICATE

Signature [Signature]
31.7.99 10.45 AM No.9.

Date

DERA D.H. P. (See Rule 29)

BY.R.P.A.D.

Name

Design / Mr. Glore

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad-500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 5 others.

T.P.Anose, CCC/L/BZA.

Goods Driver, Vijayawada. & 54 others.

By Advocate Shri. Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

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Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received original of letter
with enclosures.

कृपया नति DUPLICATE

Signature —————

Date ————— Form No.9. 21-7-99

Name ————— (See Rule 28) BY.R.P.A.D.

Design/Post: G.O.R/Buz

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

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Goods Driver, Vijayawada. & 54 ors.

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42. N. Arjuna Rao, Goods Driver, CCC O RJY, Rajamundry.
43. SK. N.A. Jani, Goods Driver, CCC/O/BTTR, Bitragunta.
44. Y. Babu Rao, Goods Driver, CCC/O/RJY, Rajamundry.
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.....Contd...2.

48. B.Rama Krishna Goods Driver, CCC/O/RJY.Rajamundry.
49. D.P.C.Rao, Goods Driver, CCC/O/RJY.Rajamundry.
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.

Whereas an application filed by the above named applicant under section 19 of the Administrative tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

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Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received - original letter with Enclosure,
Signature - *[Signature]*

Date - 30/7/77

Form No. 91

पुनरी प्रति DUPLICATE

Name - (See Rule 20) *Sh. NASTHAN* BY R.P.A.D.

Designation - *Goods Driver / BZA* ET : 311

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T.P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

To.

1. P. Anose, Goods Driver, CCC/L/BZA, Vijayawada.
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3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada.
4. CH. V. Sridhar Goods Driver, CCC/TRO/BZA. Vijayawada.
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12. D. Rama Krishna. Goods Driver, CCC/TRO/BZA. Vijayawada.
13. P. Koteswara Rao, Goods Driver, CCC/TRO/BZA. Vijayawada.
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15. G. Ratnam. Goods Driver, CCC/TRO/BZA. Vijayawada.
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Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.



[Signature]
FOR REGISTRAR.

Received Original with
Enclosures.

दुसरी प्रति DUPLICATE

Form No. 9
(See Rule 29)
Speciali: - H. Venu, (M.V. & W.V.)
Seli: - GPR BY R.P.A.D.
Nasee a/m - 103
Decree - 26/9/99

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

Applicant(S) V/S Respondent(S)
K.V. Unnin Krishnan, & 5 others. T. P. Anose, CCC/L/BZA.
Goods Driver, Vijayawada. & 54 ors.
By Advocate Shri Mr. K.S. Murthy. (By Central Govt. Standing Counsel)
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Issued under my hand and the seal of the Tribunal
This the 21 Twenty First, ... day of November, ...1997.

Date. 25-11-97.

// BY ORDER OF THE TRIBUNAL //



[Signature]
FOR REGISTRAR.

Received original with
Enclosure

Signature - *[Signature]*
Date - 25-7-97

दुप्लीकेट Duplicates

Form No. 9
N/A
(See Rule 29)
BY: R. B. A. D.
Date - 25-7-97

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACE Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

Applicant(S) V/S Respondent(S)
K.V. Unnin Krishnan, & 5 others. T. P. Anose, CCC/L, BZA.
Goods Driver, Vijayawada. & 54 ors.
By Advocate Shri. Mr. K. S. Murthy. (By/Central Govt. Standing Counsel)
Mr. J. R. Gopala Rao, SC for Rlys.

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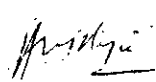
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Issued under my hand and the seal of the Tribunal
This the ... Twenty First, ... day of November, ...1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



Received original with
 enclosures
 signature V.V.L. Murthy
 Date 20.07.99
 NAME in Full G. Driven Tno: 168
 Form No. 9. Designation 20.07.99
 (See Rule 29) BY.R.P.A.D.

दुप्लीकेट प्रति DUPLICATE

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
 1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO. 1445/97.

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Issued under my hand and the seal of the Tribunal.
This the ~~21~~ Twenty First, ... day of November, ..1997.

// BY ORDER OF THE TRIBUNAL//

Date. 25-11-97.

[Signature]
FOR REGISTRAR.



Received Original with

Enclosures

Signature

Form No. 9.

(See Rule 29)

Designation:-

DPC Rao

Goods Driver

TNO: 185 & 24799

BY.R.P.A.D.

पुनरी प्रति Duplicates

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp: Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan, & 50 others.

T P. Anose. CCC/L/BZA.

Goods Driver, Vijayawada. & 54 ors.

By Advocate Shri Mr. K.S. Murthy.

(By/Central Govt. Standing Counsel)

Mr. J.R. Gopala Rao. SC for Rlys.

To.

1. P. Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY. Rajamundry.
3. P. Saelesh, Goods Driver, CCC/D/BZA, Vijayawada.
4. CH.V. Sridhar Goods Driver, CCC/TRO/BZA. Vijayawada.
5. SK. MD. Khaja Vali, CCC/L/BZA, Vijayawada.
6. D.S.K. Krishna Murthy. Goods Driver, CCC/TRO/BZA. Vijayawada.
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Form No.9.

Name ABIDA ACO

(See Rule 29)

BY.R.P.A.D.

Design / Jm

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Received original copy with enclosures

Signature Pankelatchi

Date 20/7/99

NAME

P. V. SESHAIYAH

Designation Goods Driver

Station BTTR

(See Rule 29)

BY.R.P.A.D.

दुवरी प्रति DUPLICATE

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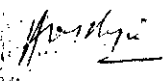
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Aghakere - N. Dayakar

N. DAYAKAR

Goods Driver

Date - 31.7.99

NAME -

N. Dayakar No. 9 (N. DAYAKAR)

ccc (m)

दुप्लीकेट प्रति Duplicates

(See Rule 29)

BY. R. P. A. D.

Assign/ Jm - Goods Driver

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

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[Signature]
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Received Notice in original along with set of
signature D.M.D. Vali Basha X Date 3/8/99 Patent. —
ORIGINAL

Form No. 9.
Name — D.M.D. Vali Basha (See Rule 29) ERM — 225/BZA.
BY.R.P.A.D.
Design / Institution / — Working as P.E. Central Control/SC
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5. SK. MD. Khaja Vali, CCC/L/BZA, Vijayawada.
6. D. S. K. Krishna Murthy. Goods Driver, CCC/TRO/BZA, Vijayawada.
7. D. Srinivasa Rao, Goods Driver, CCC/TRO/BZA, Vijayawada.
8. T. E. R. Stewart, Goods Driver, CCA/TRO/BZA, Vijayawada.
9. T. Tirunathi Swamy, Goods Driver, CCC/TRO/BZA, Vijayawada.
10. T. R. Satesh, Goods Driver, CCC/TRO/BZA, Vijayawada.
11. D. Srinivas Goods Driver, CCC/TRO/BZA, Vijayawada.
12. D. Rama Krishna. Goods Driver, CCC/TRO/BZA, Vijayawada.
13. P. Koteswara Rao, Goods Driver, CCC/TRO/BZA, Vijayawada.
14. D. Paul, Goods Driver, CCC/TRO/BZA, Vijayawada.
15. G. Ratnam, Goods Driver, CCC/TRO/BZA, Vijayawada.
16. SK. Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada.
17. Ab. Azeez, Goods Driver, CCC/O/BTTR. Bitragunta.
18. K. Nageswara Rao, Goods Driver, CCC/O/RJY. Rajamundry.
19. SK. J. Hussain, Goods Driver, CCC/O/RJY. Rajamundry.
20. T. N. V. Sekhar, Goods Driver, CCC/O/BTTR. Bitragunta.
21. D. Venugopal Goods Driver, CC/O/BTTR. Bitragunta.
22. G. Meher Babu, Goods Driver, CC/O/BTTR. Bitragunta.
23. G. Prakasha Rao, Goods Driver, CC/O/BTTR. Bitragunta.
24. P. V. Seshaiyah, Goods Driver, CC/O/BTTR. Bitragunta.
25. CH. Prataankumar, Goods Driver, CC/O/BTTR. Bitragunata.
26. J. P. M. D. Vali Basha Goods Driver, CC/O/BTTR. Bitragunta.
27. D. MD. Vali Basha Goods Driver, CC/O/BTTR. Bitragunta.
28. S. Sitaramam, Goods Driver, CC/O/BTTR. Bitragunta.
29. M. V. R. Mohan, Goods Driver, CCC/O/RJY. Rajamundry.
30. CH. S. R. C. Sekhar Rao, Goods Driver, CCC/O/RJY. Rajamundry.
31. N. Surana Raju, Goods Driver, CCC/O/RJY. Rajamundry.
32. M. Venu, Goods Driver, CCC/O/RJY. Rajamundry.
33. N. R. Premanand, Goods Driver, CCC/O/RJY. Rajamundry.
34. G. Murali Krishna Goods Driver, CCC/O/RJY. Rajamundry.
35. K. Anil Kumar, Goods Driver, CCC/O/RJY. Rajamundry.
36. P. V. Satyanarayana, Goods Driver, CCC/O/RJY. Rajamundry.
37. N. Dayakar, Goods Driver, CC/O/BTTR. Bitragunta.
38. G. Gopala Krishna Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
39. D. Bensely, Goods Driver, CC/O/BTTR. Bitragunta.
40. P. Srinivasa Rao, Goods Driver, CCC/J/RJY. Rajamundry.
41. V. V. E. N. Murthy, Goods Driver, CCC/O/RJY. Rajamundry.
42. N. Arjuna Rao, Goods Driver, CCC O RJY. Rajamundry.
43. SK. N. A. Jani, Goods Driver, CCC/O/BTTR. Bitragunta.
44. Y. Babu Rao, Goods Driver, CCC/O/RJY. Rajamundry.
45. Ch. Naga Raju, Goods Driver, CCC/O/RJY. Rajamundry.
46. K. P. S. Naravana, Goods Driver, CCC/O/RJY. Rajamundry.
47. G. Sunanda Kumar, Goods Driver, CCC/O/RJY. Rajamundry.

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48. B.Rama Krishna Goods Driver, CCC/O/RJY.Rajamundry.
49. D.P.C.Rao, Goods Driver, CCC/O/RJY.Rajamundry.
50. V.Narasimha Rao, Goods Driver, CCC/O/RJY.Rajamundry.

Whereas an application filed by the above named applicant under section 19 of the Administrative tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

Notice is hereby given to you that if you wish to contest the application you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 28.11 ~~30 days of receipt of~~ the notice before this Tribunal, either in person or through a Legal practitioner/presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal
This the ~~21~~ Twenty First, ... day of November, ...1997.

Date. 25-11-97.

// BY ORDER OF THE TRIBUNAL //



[Signature]
FOR REGISTRAR.

Expiry

Form No.9.

(See Rule 29)

BY:R.P.A.D.

पुनरी प्रति DUPLICATE

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, HACA Bhavan, Opp:Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan,&5others.

T P Anose.CCC/L/BZA.

Goods Driver, Vijayawada.&54ors.

By Advocate Shri.Mr.K.S.Murthy.

(By/Central Govt.Standing Counsel)

Mr.J.R.Gonala Rao.SC for Rlys..

To.

1. P.Anose, Goods Driver,CCC/L/BZA,Vijayawada.
2. CDA Glower, Goods Driver, CCC/D/RLY.Rajamundry.
3. P.Saelesh, Goods Driver, CCC/L/BZA,Vijayawada.
4. CH.V.Sridhar Goods Driver, CCC/TRO/BZA.Vijayawada..
5. SK.MD.Khaja Vali,CCC/L/BZA,Vijayawada.
6. D.S.K.Krishna Murthy.Goods Driver, CCC/TRO/BZA.Vijayawada.
7. D.Srinivasa Rao,Goods Driver, CCC/TRO/BZA.Vijayawada.
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28. S.Sitararam.Goods Driver, CC/O/BTTR Bitragunta.
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32. M.Venu.Goods Dvrer, CCC/O/RJY.Rajamundry.
33. N.R.Premanand, Goods Driver, CCC/O/RJY.Rajamundry.
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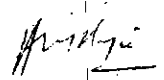
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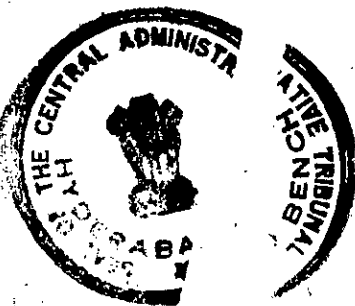
Notice is hereby given to you that if you wish to contest the application you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 28 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal
This the 21 Twenty First, day of November, 1997.

// BY ORDER OF THE TRIBUNAL //

Date. 25-11-97.


FOR REGISTRAR.



Form No.9.

(See Rule 29)

BY.R.P.A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

1st Floor, "HACA Bhavan, Opp:Public Garden, Hyderabad- 500004A.P.

ORIGINAL APPLICATION NO.1445/97.

Applicant(S)

V/S

Respondent(S)

K.V.Unnin Krishnan,&5others.

T P. Anose.CCC/L/BZA.

Goods Driver, Vijayawada.&54ors.

By Advocate Shri.Mr.K.S.Murthy.

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26. J.P.M. Dais. Goods Driver, CC/O/BTTR. Bitragunta.
27. D.MD. Vali Basha Goods Driver, CC/O/BTTR. Bitragunta.
28. S. Sitaramam. Goods Driver, CC/O/BTTR. Bitragunta.
29. M.V.R. Mohan, Goods Driver, CCC/O/RJY. Rajamundry.
30. CH. S. RC. Sekhar Rao. Goods Driver, CCC/O/RJY. Rajamundry.
31. N. Surana Raju, Goods Driver, CCC/O/RJY. Rajamundry.
32. M. Venu. Goods Driver, CCC/O/RJY. Rajamundry.
33. N.R. Premanand, Goods Driver, CCC/O/RJY. Rajamundry.
34. G. Murali Krishna Goods Driver, CCC/O/RJY. Rajamundry.
35. K. Anil Kumar, Goods Driver, CCC/O/RJY. Rajamundry.
36. P.V. Satyanarayana. Goods Driver, CCC/O/RJY. Rajamundry.
37. N. Dayakar, Goods Driver, CC/O/BTTR. Bitragunta.
38. G. Gopala Krishna Murthy. Goods Driver, CCC/O/RJY. Rajamundry.
39. D. Bensely, Goods Driver, CC/O/BTTR. Bitragunta.
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41. V.V.D.N. Murthy. Goods Driver, CCC/O/RJY. Rajamundry.
42. N. Arjuna Rao, Goods Driver, CCC O RJY. Rajamundry.
43. SK. N.A. Jani, Goods Driver, CCC/O/BTTR. Bitragunta.
44. Y. Babu Rao. Goods Driver, CCC/O/RJY. Rajamundry.
45. Ch. Naga Ratu, Goods Driver, CCC/O/RJY. Rajamundry.
46. K.P.S. Naravana. Goods Driver, CCC/O/RJY. Rajamundry.
47. G. Sunanda Kumar. Goods Driver, CCC/O/RJY. Rajamundry.

.....Contd..2.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS

ACT, 1985

for use in Tribunal Office

DATE OF FILING

OR

DATE OF RECEIPT

BY POST

REGISTRATION NO.



SIGNATURE

REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A.NO. 1445 OF 1997

Between:

- 1.K.V.Unnin Krishnan, s/o.K.S.Velandi,
Aged 29 yrs, Good driver, Rajahmundry,
East Godavari District.
- 2.Satyanarayana, s/o.Ramulu, A/30 yrs, Goods driver
Bitragunta.
- 3.B.Vivekananda s/o.B.Radhakrishnagupta,
A/29 yrs, r/o.Bitragunta.
- 4.Abdul Agub Jani, s/o.Abdul Rahim, A/28 yrs,
Goods Driver, Vijayawada.
- 5.Ch.Satyanarayana, s/o.Rosabaih, Goods driver,
Rajahmundry, E.G.District.
- 6.N.V.V.S.G.K.Murthy, s/o.N.S.Murthy, A/29 yrs,
goods driver, Rajahmundry, E.G.District.

...APPLICANTS

And

- 1.P.Anose, s/o.not known, goods driver,
CCC/L/BZA. VIJAYAWADA
- 2.CDA Glower, s/o.not known, goods driver,
CCC/O/RJY. RAJAMUNDRY

3. P.Saelesh, s/o.not known, goods driver,
CCC/L/BZA. VIJAYAWADA
4. CH.V.Sridhar, s/o.not known, goods driver,
CCC/TRO/BZA. -D.-
5. SK.MD.Khaja Vali, s/o.not known,
CCC/L/BZA -D.-
6. D.S.K.Krishna Murthy, s/o.not known,
goods driver, CCC/TRO/BZA. -D.-
7. D.Srinivasa Rao, s/o.not known,
goods driver, CCC/TRO/BZA -D.-
8. T.E.R.Stewart, s/o.not known,
goods driver, CCA/TRO/BZA -D.-
9. T.Tirupathi Swamy, s/o.not known, goods driver
CCC/TRO/BZA -D.-
10. T.R.Satesh, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
11. D.Srinivas, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
12. D.Ramakrishna, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
13. P.Koteswara Rao, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
14. D.Paul, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
15. G.Ratnam, s/o.not known, goods driver,
CCC/TRO/BZA -D.-
16. SK.Mastan, s/o.not known, goods driver,
CCC/TRO/BZA -D.- All are at VIJAYAWADA
17. Ab.Azeez, s/o.not known, goods driver,
CC/O/BTTR BITRAGUNTA
18. K.Nageswara Rao, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDRY
19. SK.J.Hussain, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDRY
20. T.N.V.Sekhar, s/o.not known, goods driver,
CC/O/BTTR BITRAGUNTA
21. D.Venugopal, s/o.not known, goods driver,
CC/O/BTTR BITRAGUNTA
22. G.Meher Babu, s/o.not known, goods driver,
CC/O/BTTR -D.-
23. G.Prakasha Rao, s/o.not known, goods driver,
CC/O/BTTR -D.-
24. P.V.Seshaiah, s/o.not known, goods driver,
CC/O/BTTR -D.-
25. Ch.PratapKumar, s/o.not known, goods driver,
CC/O/BTTR -D.-
26. J.P.M.Dais, s/o. not known, goods driver,
CC/O/BTTR -D.-
27. D.Md.Vali Basha s/o.not known, goods driver,
CC/O/BTTR -D.-
28. S.SitaRamm s/o.not known, goods driver,
CC/O/BTTR -D.- all are at BITRAGUNTA

29. M.V.R.Mohan, s/o.not known, goods driver,
CCC/O/RJY. RAJAMUNDRY
30. CH.S.RC.Sekhar Rao, s/o.not known, goods driver,
CCC/O/RJY -D-
31. N.Surapa Raju, s/o.not known, goods driver,
CCC/O/RJY -D-
32. M.Venu, s/o.not known, goods driver,
CCC/O/RJY -D-
33. N.R.Premanand, s/o.not known, goods driver,
CCC/O/RJY -D-
34. G.Murali Krishna, s/o.not known, goods driver,
CCC/O/RJY. -D-
35. K.Anil Kumar, s/o.not known, goods driver,
CCC/O/RJY -D-
36. P.V.Satyanarayana, s/o.not known, goods driver,
CCC/O/RJY -D- All at RAJAMUNDRY
37. N.Dayakar, s/o.not known, goods driver,
CC/O/BTRR BITRAGUNTA
38. G.Gopala Krishna Murthy, s/o.not known, goods driver,
CCC/O/RJY. RAJAMUNDRY
39. D.Bensely, s/o.not known, goods driver,
CC/O/BTRR BITRAGUNTA
40. P.Srinivasa Rao, s/o. not known, goods driver,
CCC/O/RJY RAJAMUNDRY
41. V.V.L.N.Murthy, s/o.not known, goods driver,
ccc/o/rjy RAJAMUNDRY
42. N.Arjuna Rao, s/o.not known, goods driver,
CCC/O/RJY RAJAMUNDRY
43. SK.N.A.Jani, s/o.not known, goods driver,
CCC/O/BTRR BITRAGUNTA
44. Y.Babu Rao, s/o.not known, goods driver
CCC/O/RJY RAJAMUNDRY
45. Ch.Naga Raju, s/o.not known, goods driver
CCC/O/RJY -D-
46. K.P.S.Narayana, s/o.not known, goods driver
CCC/O/RJY -D-
47. G.Sunanda Kumar, s/o.not known, goods driver
CCC/O/RJY -D-
48. B.Ramakrishna, s/o.not known, goods driver,
CCC/O/RJY -D-
49. D.P.C.Rao, s/o.not known, goods driver,
CCC/O/RJY -D-
50. V.Narasinga Rao, s/o.not known, goods driver,
CCC/O/RJY. -D- All at RAJAMUNDRY
51. General Manager, South Central Railway,
Rail Nilayam, Secunderabad.
52. Chief Personal Officer, South Central Railway,
Rail Nilayam, Secunderabad.

53. The Divisional Railway Manager,
Vijayawada Division, South Central
Railway, Vijayawada.
54. The Senior Divisional Personal Officer,
Vijayawada Division, South Central
Railway, Vijayawada.
55. The Assistant Personal Officer (Mechanical)
South Central Railway, Vijayawada. ...RESPONDENTS

DETAILS OF THE APPLICATION

1. Particulars of the applicants: The name and description of the above named applicants is same as given in the cause title.

The address for service of all notices and processes on the above named applicants is that of their counsel
Mr. K.S. Murthy, ^{PHANIPATU} Advocate, 12-2-828/A/45, Amba Gardens,
Mehidipatnam, Hyderabad-28.

2. Particulars of the respondents:- The address for service of all notices and processes on the above named are same as given above in the cause title.
3. Application made against the order:-
 - i) Letter No. B/P.612/III/Rg/21 Vol.VI dt.30.1.96
 - ii) Lr.No. B/P.612/III/Rg/DSL dt.14.5.1996
 - iii) Passed by the Sr.Divisional Personnel Officer, Vijayawada.
 - iv) Subject in brief:- The D.A is filed praying this Hon'ble Tribunal to direct the respondents to revise the seniority list of Fireman/Diesel Assistants/Electirical Assistants in the scale of Rs.950-1500 in terms of para 303-a of IREM Vol. 1 of 89 edition and not as per the merit order obtained in the R.R.B. Examination and consequently set aside the seniority lists 30.1.96 and 14.5.96 as illegal, unconstitutional and arbitrary.

4. Jurisdiction of the Tribunal:- The applicants herein declares that the subject matter of represented O.A. is even the jurisdiction under Sec.14(1) of the Administrative Tribunals Act, 1985.

5. Limitation:- The applicants further declare that this O.A. is filed within the limitation as prescribed Sec.21 of the Administrative Tribunals Act, 1985 since the impugned order is dated 14.5.1996 and the applicants made representation on 12.6.1996 on which no orders have been passed

6. Brief facts of the case:-

i) The applicants before this Hon'ble Tribunal are working as Goods Drivers in pay-scale 1350-2200 in Vijayawada Division of S.C.R. All the applicants herein are similarly placed and have got common cause of action and have been selected, trained and posted at the same time. All the respondents from 1 to 50 are also working as Goods Drivers in Vijayawada Division of S.C.R. and have been selected, trained and posted at the time ^{same} as that of the applicants. Both the applicants and respondents are governed by same set of service conditions and are under the same controlling authority i.e., Divisional Railway Manager, Vijayawada.

ii) The applicants and the respondents appeared for a Written Test conducted by the Railway Recruitment Board (R.R.B) Secunderabad in March, 1986. The applicants and the respondents had the minimum qualifications of S.S.C and all the applicants and respondents applied to the post of apprentice fireman-A. This test was conducted pursuant to employment Notice No.1/85 of R.R.B. After the written test, interview and psychological stress test were conducted by the R.R.B Authorities in April and May, 1986. The names of the successful candidates including the applicants as well as the respondents among others

were forwarded to the C.P.O S.C.Railway, Secunderabad appointments. C.P.O. directed the applicants and the respondents to appear for a medical test and after that they were appointed as firemen-A (Apprentice). The applicants and the respondents were allotted to Vijaywada Division of S.C.R. in 87 and are placed at the disposal of Divisional Railway Manager, Vijayawada.

III) The applicants and the private respondents 1 to 50 have been sent for training in different batches for administrative convenience to zonal training school. As per the Clause 303 of Indian Railway Establishment Manual, revised edition 1989 in Chapter 3, the seniority of the candidates recruited through the Railway Recruitment Board or by any other recruitment has to be determined as per the provisions of the Chapter 303-a reads as follows:-

"Candidates who are sent for initial training to the training schools will rank in seniority in the relevant grade in the order of merit obtained at the examinations held at the end of training period before being posted against working posts"

The applicants and the respondents were sent to the initial training course at zonal training school (ZTC), Moulali, Secunderabad. After the completion of 2½ months training at ZTC, ~~and~~ ZTC Authorities conducted a written test and allotted marks and sent the marks list to all divisions. One such letter dated 5.4.1988 is filed as Annexure-I. This pertains to one batch of trainees only. The marks for other batches were not available and this Hon'ble Tribunal may pardon the applicants for not furnishing them. In this Annexure it is clearly stated that the candidates who have attended initial training at ZTC have been relieved after the completion of the training. After this training the applicants and the respondents 1 to 50 were absorbed and regularised and posted as Firemen-A in pay scale of Rs.950-1500 in May, 1989.

iv) The Senior Divisional Personnel Officer on behalf of D.R.M's Office, Personnel branch, Vijayawada published the seniority list of firemen in the payscale of 950-1500 of Vijayawada Division, as on 1.5.1993 vide Proceedings dt.18.6.93. Aggrieved by the seniority list the applicants and other similarly placed employees like that of the applicant submitted a representation on 9.7.93 complaining that the applicants were shown as juniors to the respondent even though they got higher marks in the test conducted at the end of initial training at Zonal Training Centre, Moula-Ali. The Authorities realised their mistake and calling for the relevant records from ZTC and seeking instructions from the S.C.R. Authorities as well as referring to the provisions of Indian Railway Establishment Manual, issued Proceedings dt.21.11.94. In the revised seniority list dt.21.11.94 it was clearly stated that the employees' position the seniority is based upon the marks obtained in the initial training course which they underwent at the Zonal training centre.

v) After one year, the authorities again published another revised seniority list dt.30.1.96. It was stated that the seniority of the apprentice firemen-A 87 batch would be as per the merit order obtained in the R.R.B. Examinations. Along with these proceedings dated 30.1.96, a proforma proceedings dt.29.1.96 was also issued stating that the revised list is being issued as per the result of the decisions taken by the Headquarters in the P.N.M. Obviously, the latest seniority list dt.30.1.96 was issued pursuant to the negotiations with the trade unions and not as per the rules and regulations of the Indian Railways. The change of the stand taken by the authorities is not attributed to any new rule, revised board instructions, or amended establishment code or manual but only as per the discussions with the trade unions giving a go by

to the rule of law. It is a well established principle of administrative law that when employees' seniority list is sought to be changed or revised, it must be based upon the relevant legal, prudent, reason and not as per the understanding arrived at with a trade union ignoring the rules and regulations and the Act.

vi) Aggrieved by the revised seniority list dt.30.1.96, the applicants gave a representation on 6.2.1996 bringing to the notice of the authorities, the provisions of para 303-a of I.R.E.M. Volume 1, 1989 Edition. A copy is filed herewith. The applicants and similarly placed employees were under the impression that they would be getting a reply from the authorities. The railway authorities did not issue any proceedings either accepting our representation or rejecting it. The authorities are duty bound to reply to the representations given by the employees regarding seniority list. The respondent authorities however took great pains in issuing proceedings dt.29.1.1996 informing employees like that of the respondents herein saying that their representation has been considered and for so and so reason their representation was accepted. The authorities should have informed the applicants whether their representation was either accepted or rejected. This shows the arbitrary actions of the respondent authorities. When the applicants made enquiries with the authorities they were informed that a revised seniority list (comprehensive) is being published in May, 1996 and our queries will be answered therein. The respondent authorities published another seniority list on 14.5.96. Even in this seniority list dt.14.5.1996, the respondent authorities did not take our representation dated 6.2.96 into consideration. As the applicants came to know about the seniority list in the month of June first week, the applicants filed another

representation on 12.6.96 to the respondent authorities bringing to their notice about the earlier representation in which the provisions of I.R.E.M. were mentioned. A copy of the said representation is filed herewith. Even after 6 months, the respondent authorities have not taken any steps but are going ahead to give promotions based upon the seniority list. The applicants and the respondents are at present working as goods drivers after getting promotions as shunter in 1996. The comparative statement of seniority of the applicants and respondents in different seniority list is tabulated, and filed. However, no fresh seniority list has been issued by the respondent authorities. Para No.303 of I.R.E.M Volume 1 Edition 1989 clearly states how seniority of employees who were recruited directly either by R.R.B or otherwise should be determined. Para 303-a deals with the employees who have to undergo ~~training~~ training. Para 303-b deals with the employees who need not undergo any training before their initial posting. This clearly states that the seniority list prepared by R.R.B would prevail only in the case of categories of employees who need not have to undergo any training before their initial appointment. The S.C.R. Authorities have arbitrarily directed the Vijayawada Divisional Authorities to prepare the seniority list of the direct recruitees based upon only R.R.B. Whereas directed the Hyderabad and Secunderabad Divisions to prepare the seniority list based upon the marks obtained by the candidates at the end of training at Z.T.C. The apprentice firemen-A who were recruited along with us by R.R.B but allotted to Hyderabad and Secunderabad Divisions have been placed at their respective positions in the seniority list based upon their performance in the test conducted by Z.T.C. The proceedings of the Secunderabad Divisional Railway Manager dt.15.9.93 are herewith filed. It is respectfully submitted that in 1976 ~~de.~~, the previous batch of firemen-A recruited by Railway Service Commission,

the seniority was decided basing upon the marks obtained by the direct recruitees at the end of the initial training at the Z.T.C. before their appointment.

vii) The Railway Authorities recruit candidates directly after the test conducted by the R.R.B into various departments. The Assistant Station Masters, Commercial Clerks, Ticket Collectors, Traffic Apprentice etc. are sent to Z.T.C. for initial training before regular appointment. The seniority list of all these employees is prepared after considering the direct recruitees performance in the test conducted by Z.T.C. at the end of initial training. Thus, the railway authorities have discriminated against the applicants, and favoured the respondents by not referring to Z.T.C. ~~performance~~ but relying performance upon only R.R.B. Merit list. The action of the authorities in this regard is violative of Articles 14 and 16 of the Constitution of India.

7. Relief sought:-

MAIN PRAYER

In view of the facts stated above in para-6 the applicants herein pray that this Hon'ble Tribunal may be pleased to direct the respondents 51 to 55 to publish the seniority list of first firemen/diesel assistants/electrical assistants in pay scale Rs.950-1500 of Vijayawada Division of S.C.R basing upon the performance of the direct recruitees in the test conducted by Z.T.C Moola-Ali at the end of the initial training at the training school after setting aside the seniority list dt.14.5.1996 and 30.1.1996 after declaring them as arbitrary and illegal and unconstitutional violative of Indian Railway Establishment Manual and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the interest of justice.

8. Interim Relief:-

Pending the disposal of the O.A. the Hon'ble Tribunal may be pleased to direct the respondents 51 to 55 to proceed with further promotions and giving any benefits solely basing upon the seniority list B.P.612/III/2/Rg/Vol.VI dt.21.11.94 after suspending the seniority list dt.30.1.1996 and 14.5.1996 and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the interest of justice.

9. Details of the remedies exhausted:-

The applicants submit that inspite of their representation dated 12.6.1996 no action has been taken by the respondents, and no other statutory remedy is available to them except to file this O.A. before this Honourable Tribunal.

10. Matter not pending with any other Courts etc:-

The applicants further declare that the matter regarding which this O.A. is filed is not pending before any court of law or any authority or any other Bench of Central Administrative Tribunal.

11. Particulars of the Postal order in respect of the Application fee:-

- i) Number of the postal order:
- ii) Name of the post office :
- iii) Date of the issue of postal order :
- iv) Post office at which payable :

12. Details of Index:

An index in duplicate containing the details of the documents to be relied upon is enclosed herewith.

13. List of documents:-

All the documents relied upon are filed herewith

duly indexing the same.


1. Submitt
2. Ch. Satyanorgam
3. B. Geerkananda
4. Abdul Aziz Durrani
5. Ch. Satyanorgam
6. H. M. H.

Signature of the Applicants.

VERIFICATION

We, the above applicants ^{and others} do hereby declare that the contents stated above in paragraphs 1 to 13 are true to the best of our knowledge, belief and information.

1. Submitt
2. Ch. Satyanorgam
3. B. Geerkananda
4. Abdul Aziz Durrani
5. Ch. Satyanorgam
6. H. M. H.


Counsel for Applicants.

Signature of the Applicants.

South Central Railway

Office of the Principal
Zonal Training School,
Moula-Ali,
D/ 5.4.88

No.ZTS/673/Appl.Firemen 'A'

CMPE/SC:CEO(Trg.Cell)/SC,
DEMs (P)/SC/HYB, BZA, GTL,
Sr.DMEs(L)/SC:HYD/BZA/GTL,
Sr.DAOs/EG/HYB/BZA/GTL

Sub:-Initial course training for apprentice
Firemen 'A' in batch No.4 from 21.1.88
to 5.4.88 at ZTS/MLY.

The following Apprentice Firemen 'A' who have attended
Initial training at ZTS/MLY in batch No.4 during the period from
21.1.88 to 5.4.88 have been relived on afternoon of 5.4.88
after completion of their course with instructions to report
to you for further courses.

The details of leave /PTOs availed by the candidates are
furnished below against their names.

Sl.No.	Name (S/Shri)	Designation/Stn.	Divn.	Dt.of arrival
1.	K.L.Srinivas	App.F.Man ¹ /KZJ	SC	21.1.88
2.	S.S.Ramakrishna Prasad	Appl.F.Man/KZJ	sc	,,
	Leave on 14.3.88			
	availed one set of PTOs			
3	..			
4	.. to 22			
23.	D.Purnachandra Rao	App.F,Man/RJY	BZA	21.1.88
24 and 25				
26.	Chelli Satyanarayana	App.FiMan/RJY	BZA	21.1.88
32.	Chinta Satyanarayana	App.F.Man/RJY	BZA	21.1.88
45.	Dammidi Narasinga Rao	App.F.Man/RJY	BZA	21.1.88
59.	B.Vivekananda	App.F Man/RJY	BZA	30.1.88
	(fifty nine only)			

Sd/---
(M.Raju)
Principal

Copy to KZA/RAILWAY/RJY:GTL

//true copy//

SOUTH CENTRAL RAILWAY

No.B/P. 612/III/2/RG/Vol.VII.

Divl. Rly. Manager's Office,
Personnel Branch,
Vijayawada.

Dated: 18 June, 1993.

ALL CONCERNED.

Sub: Provisional seniority list of Ist Firemen/
Diesel Assistants/Electrical Assistants in
scale Rs.950-1500(RSRP) of Vijayawada Division
showing the position as on 1-5-93.

The provisional seniority list of Ist Firemen/Diesel Assistants/Electrical Assistants in scale Rs.950-1500(RSRP) of Vijayawada Division showing the position as on 1-5-1993 is sent herewith for notification of all concerned.

The seniority list is purely provisional and subject to interpolation of the 13 IInd Firemen who are seniors to some of the persons of the seniority list at a later date on expiry of the currency of non-recurring punishments debarring them from being promoted as Ist Fireman/Electrical Assistants along with their juniors. The seniority position assigned in the Annexure is, therefore, purely provisional subject to alteration.

Representations, if any, may be received from the staff within one month from the date of issue of this provisional seniority list and forwarded to APO/M/BZA by name with relevant particulars to dispose the same. The Representations received after one month will not be entertained.

Please note and notify and acknowledge the receipt of this provisional seniority list. All Shed/Depot Officials should give wide publicity among the staff by placing one copy of the seniority list in the Notice Board.

(S. TAMILCHOLAI)
APO(M)

/Sr.Divisional Personnel Officer/BZA.

Copy to DME/L, Sr. DEE/TRS, AME/L/RJY.
,, CTFR/BZA, TFR/BTTR, ALFR/GNT, BVRM.
,, LF/BZA, DKD, RJY, COA.
,, CEG Members/SCRE Sangh and SCRM Union.

Gvr.16/16.6(copies)

18
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To
The Senior Divisional Personnel Officer,
South Central Railway,
VIJAYAWADA

Vijayawada/~~Rayachoti~~

Date : 09.7.93

Sir,

THROUGH PROPER CHANNEL

Sub : Provisional Seniority List of First Fireman/Diesel Assistants in the Scale of pay of Rs.950-1500 (RSRP) of Vijayawada Division objections - Regarding.

Ref : Your Proceedings No.B/P. 612/III/2/RG/Vol VII, dated 18.6.1993

I am now working as Diesel Assistant in the Vijayawada Division of the South Central Railway. I was directly recruited as Apprentice Fireman 'A' in the year 1987 as per the proceedings No.B/P/ 563/III/RG/Vol.II, dated 27.5.1987 and 6.7.1987 and after successful completion of apprenticeship for a period of 2 years I was absorbed in the regular working post of First Fireman in the grade of Rs.950-1500 (RSRP) as per the Proceedings No.B/P.563/III/RG/Vol.II, dated 3.8.1989 issued by the Divisional Railway Manager (Personnel Branch), South Central Railway, Vijayawada. Subsequently, I was redesignated as Diesel Assistant in the year 1990.

2. In the aforesaid Provisional Seniority List published by you on 18.6.1993 my ranking in the seniority list in the category of First Fireman/Diesel Assistant is shown at Serial No391..... I submit my ranking in the seniority list is not correctly shown and several of my juniors who were working as Fireman Grade-II and later promoted as Fireman Grade - I on adhoc basis are shown as seniors to me. The said seniority list is contrary to the mandatory provisions of the Indian Railway Establishment Manual.

3. I submit that the employees shown at Serial Nos.65 to 327 are wrongly shown as seniors to me in the category of First Fireman/Diesel Assistant in the scale of pay of Rs.950-1500 (RSRP). I submit that all these employees were only working as Fireman Grade - II when I was directly recruited as Apprentice Fireman 'A' in the year 1987. They were only promoted as First Fireman on adhoc basis while I was undergoing the Apprenticeship. As per the Rules and Avenue Chart of promotion, the posts of First Fireman should be filled up from the category of second Fireman on the basis of selection as the posts of First Fireman are selection posts. As per the para 215 of the Indian Railway Establishment Manual of the Selection Posts shall be filled up by positive act of selection made with the help of Selection Boards from amongst the staff eligible for selection. It is also stated in para 216 of the aforesaid Manual that adhoc promotion should be avoided as far as possible both in selection and non-selection posts and in the unavoidable circumstances, only it should be for a short duration of 3 to 4 months.

4. I submit that the employees shown from Serial Nos.65 to 327 in the Provisional seniority List were promoted on adhoc basis to First Fireman contrary to the provisions of the Indian Railway Establishment Manual and without subjecting them to the selection, their services were regularised with effect from 29.10.1992 deliberately misinterpreting the Circular issued by the Chief Personnel Officer. Their services are also regularised with retrospective effect contrary to the Rules. These employees cannot, therefore, be shown as seniors to me in the seniority list of First Fireman/Diesel Assistants.

5. I further submit that the employees ranking at Serial Nos. 65, 76, 126, 150, 207-A, 208, 209, 248, 249, 257, 258, 276, 286, 303, 311, 312, 314, 315, 317, 321, 322, 323, 324 and 327 are in fact promoted as First Fireman on adhoc basis subsequent to my absorption as First Fireman on regular basis and though their services are regularised from a date later than my absorption as First Fireman on regular basis, they are shown as seniors to me. This is contrary to the rules.

6. Intems of para 303 (a) IREM Vol. I 1989 Revised Edition the seniority of candidates recruited through RRB or by any other recruiting authority should be determined as candidate who are sent for initial training to training schools will rank in seniority in the relevant grade in the order of merit obtained at the examination held at the end of the training period before being posted against working posts. This aspect has not been taken care before assigning seniority in my case.

I, therefore, request you to consider my representation objectively and revise the seniority list by showing my ranking in the seniority list of First Fireman/Diesel Assistant above the employee ranking at serial No. 65 in the aforesaid seniority list and necessary action may be taken in this regard immediately after the expiry of the time for revision.

Yours faithfully

B. Vivekananda

Name : B. VIVEKANANDA Designation : DSA/ASST

Headquarters : B 2A

Staff No : 311

LOCO
S. C. RLY. VIJAYAWADA.

Vivekananda

South Central Railway

Divl.Rly.Manager's Office
 Personnel Branch,
 Vijaywada,
 dt: 21.11.1994.

No.B/P.612/III/2/Rg/Vol.VI

All concerned,

Sub:-Revision of Seniority list of 1st FM/
 Dsl.Assts/Elect.Assts in scale Rs.950-1500
 (RSRP) who were appointed as Apprentices

Ref:-Seniority List of 1st FM/Dsl.Assts /
 Elect.Assts published vide this office
 letter of even number dt.18.6.93

In terms of Para 303 (a) of IREM, Vol.I of 1989 edition, seniority positions assigned to the diesel/Electrical Assistant Drivers from Sl.No.328 to 422 of the seniority list of 1st Fireman Diesel Assts/Electrical Assts in scale Rs.950-1500 (RSRP) published vide this office letter of even number dt: 18.6.93 are revised as they under based on the marks obtained in the Initial Training Course they under went at ZTC/MLY. In cases where same marks scored by more than one, their names are arranged as per the merit order of R.R.E.

Representation, if any, with regard to their seniority positions may be sent to this office within one month from the date of issue of this letter. Representations received after one month will not be entertained. All shed/depot officials should give wide publicity among the staff by placing one copy of the list in the notice board duly obtaining their signature/initials against their names.

The above revision is provisional and subject to the outcome of O.A.NO.1143 of 1992 and 440/94.

Sd/--
 (V.V.MUDALIAR)

APO/
 /Sr.Divisional Personnel Officer,
 Vijayawada.

Copy to: Sr.DEE/TRS, DME/P/BZA, AMR/L/RJY
 Copy to : CCC/T/BZA CCC/L/BZA, CC/BTTR
 Copy to: CC/GNT/? DKD
 Copy to: CEG Members/SCRES & S CRMU.

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Annexure-V

South Central Railway

Office of the Divl. Rly. Manager,
(Personnel Branch)/Vijayawada.

No. B/P.612/III/Rg/21 Vol.IV

Dated: 30.1.1996

All concerned ,

Sub:-Revision of seniority list of IRFM/
Dsl/Elec.Asst.in scale Rs.950-1500
(RSRP) who were appointed as apprentice
Fireman 'A' in 1987.

Ref:-This office letter of even number dt.21.11.94

It has been clarified by COP/SC, that the seniority of the apprentice Fireman 'A' - 1987 batch would be as per the merit order obtained in the RRB Examination. As a result of the above clarification, the seniority order of the above batch of candidates published vide this office letter of even number dated 18.6.93 and 21.11.94 stands modified as cited in the Annexure.

Any representations with regard to this revision in the seniority list, could be send to this office within one week from the date of issue of this letter.

The shed incharges are advised to give wide publicity to this letter and representations against this revision of seniority if any, received from staff should be collected and send in a buch addressed to the undersigned.

Sd/-xxx dt.30.10.96
(H.SRINIVAS)

AFO/M,

/Sr.Divl.Personnel Officer,
Vijayawada.

Copy to: Individuals
DME/W&O/BZA, Sr.DLE/TRD/BZA
,, CPCR, CTLC /BZA
,, Secretaries/SCRES & SCRNU

//true copy//



Annexure-VI

South Central Railway

Divisional Railway Manager's
Office (Personnel Branch),
Vijayawada, dt: 29-01-1996
30

Sub:- Representation against Seniority list of
IFM/Dsl.Asst./Elec.Assts in Scale Rs.950-1500
(RSRP) who were appointed as App.Fireman/A in
1987.

Ref:- 1.Revision of Seniority list of IFM/Dsl.Asst/
Elec.Asst. published vide this office letter
of even No. dated 21.11.94.
2.Your representation dated:

Your representation cited above, against the revision of Seniority of the IFM/Dsl.Asst./Ele.Assts has been examined. As a result of decision taken by Hd.Qrs. in the INM, it has been decided that the criterion for assigning of the seniority will be the merit order obtained in the RRB Examination. Accordingly, the revised seniority list of the 1987 batch of App.Fireman 'A' has been published. Your seniority position has now been correctly assigned vide Item No. as per Hd.Qrs. decision.

Sd/-- 30.1.96

(H.Srinivas)

APO(M)

/Sr.Divisional Personnel Officer,
Vijayawada.

//true copy//



South Central Railway

Office of the Divl. Railway Manager,
Personnel
Vijayawada.

No.B/P.612/III/Rg./DSL

Date: 14-5-1996

All concerned.

Sub:-Provisional seniority list of I Firemen/
Diesel Assts./Electrical Assistants in
Scale Rs.950-1500 (RSRT) of Vijaywada
Division showing the position as on 30.4.1996

....

In compliance with judgment delivered by Hon' ble CAT/HYD on O. A.Nos.1143/92, 440/94 and 57/94 the one-time dispensation in regard to the conduct of selection for the I Fireman/DEL Assts/Elec.Assts promoted on adhoc basis from 01-01-1986 to 09-10-90 and from June,1992 to December,1994 is obtained the provisional seniority list of I Firemen/Diesel Assistants/Electrical Assistants as on 30.4.1996 is prepared and circulated in the enclosure for notification amongst staff.

Representations, if any, received from the staff in one month's time from the date of publication of this list against the assignment of seniority, or any discrepancy in the particulars furnished like date of Birth etc. should be forwarded to this office with relevant particulars to dispose the same. Representations received after one month will not be entertained.

Please note, notify and acknowledge the receipt of this provisional seniority list. All shed/Depot officials should give wide publicity among the staff by displaying the copy of this provisional seniority list on the Notice Board.

Sd/---dt.14.5.96
(H.SRINIVAS)

For Sr.Divl.Personnel Officer,
Vijayawada.

C/-Sr.DEE/IRS-OP/BZA, DME/W&O)/BZA for information please

C/-SEFM Union, SCRE Sangh

C/o. O.O.File.

//true copy//

[Handwritten signature]

From.

K.V. LAKSHIKRISHNAN
 SHR 19RS /B2A.
 CCC/10/TRO/137A.

Vijayawada,

Dt: 12/6/96

To

The Senior Divisional Personnel Officer,
 South Central Railway,
 VIJAYAWADA.

THROUGH: PROPER CHANNEL

Respected Sir,

Sub: Seniority List of DIESEL/ELECTRICAL ASSISTANTS in
 Scale of 950-1500 (RSRP) - Regarding.

Ref: (1) Your Lr.No.B/P.612/III/Rg./DSL.Dt: on 14.5.1996
 (2) My Representation Dated :

* * *

While inviting your kind attention to the references cited above, I would like to submit the following few lines for your kind consideration as follows:

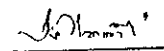
When the seniority of DSL/ELEC. ASSTs was published under your letter No. B/P.612/III/Rg.21 Vol. IV dated 30.01.1996. I had submitted the representation protesting against the seniority assigned to me vide my representation Ref.No.2. Unfortunately I have not been favoured with reply so far.

Now, once again the seniority of DSL/ELEC.ASSTs has been published under your letter vide Ref.No.1 above without considering the objections raised by me. In my above representation I submit that a grave injustice has been done to me. Hence, I request you to you Sir, to consider the points raised by me in my earlier appeal indicated Ref.No.2 of this representation. So, that I am spared of the unpleasant tasks of knocking at the doors of CAT/HYB.

'Thanking You, Sir'

Encl: Previous Representation
 for your kind ready information.

Yours faithfully,



(K.V. LAKSHIKRISHNAN)



FROM

B. VIVEKANANDA

T. No. E-308

cc/BTTL

Vijayawada

BITRALUNTA,

Date : 26/02/96...

To

Sr.DPO/BZA

"THROUGH PROPER CHANNEL"

Sir,

Sub: Seniority of DSL/ELECTRICAL ASST. Violation of norms as well as solemn assurance given to the Hon'ble CAT HYD.

Ref :- 1. Your Letter No. B/P/612/III/RG/21/VOL.IV, Dt 29-01-1996
2. Your Letter Even No. dated, 21-11-1994. 30

While inviting your kind attention to the references cited above, I would like to submit the following few lines for your kind consideration.

Initially when the issue of Finalising the Seniority of DSL/ELC ASST. I had some apprehensions and made representation to your kind self. There upon your kind enough to finalise the seniority and publish seniority list under your letter cited under reference No. II Incidentally Sir, it is not Only my representation that was then considered, but the provisions of, the para 303 (A) of IREM, VOL.I were also taken in to reckoning. Now all of a sudden a totally new Seniority List has been published under reference No. I which deprives me the assigned position in the earlier Seniority List, the reason assigned for this drastic change is said to be a decision taken by HQ in the PNM. I submit that provisions of IREM are more sacred than the place of a recognised union.

The above apart the administration, in advertently or otherwise has gone back on solemn assurance given to Hon'ble CAT HYD during the pendency of OA NO. 440 of 1994. To a pointed question from the Hon'ble Bench. The Administration filed the Seniority List prepared in confirmative with para 303 (A) of IREM VOL.I. The case has eventually been decided in my favour. By changing this Seniority List, the administration I am afraid, has mislead the Hon'ble Bench.

In view of the facts narrated above, I request you Sir, to reconsider the entire issue and confirm the earlier Seniority Position. Which was in accordance with the Provision of IREM so that I am spared of the unpleasant task of approaching CAT once again.

Thanking you Sir,

Yours faithfully,

B. Vivekananda

(B VIVEKANANDA)

Received
P. Sambasiva
6/2/96

// The G/S //

SOUTH CENTRAL RAILWAY

No. B/P.612/III/2/RG/Vol.VII

DRM's Office,
Personnel Branch,
Vijayawada.
Date: 28-2-94.

Sub:- Representations against provisional
seniority list of Ist FM/DSL Asst./
Elect. Asst.

Ref:- Your representation dt. 14-07-93.

* * *

1. As per the instructions contained in para 303 of IREM/
Vol.I, Apprentices who fail the initial training in the
first instance and passes the same in the subsequent chances
will rank juniors to those who pass the examination in
earlier courses. Since you failed the initial training
in the first attempt and passed the same in the repeat
course, your seniority position as per the RRB panel
order is not maintained. As a matter of fact, the period
of your apprenticeship should have been extended. But, the
mere non-extension of the period of apprenticeship should
not confer any right on you in demanding the protection of
the seniority as per the RRB panel order.

2. The position of Seniority already assigned to you as
per fact is in order and needs no revision.

// Therefor

(S. TAMIL CHOLAI) DPO (M)
for Sr. DPO/BZA.

65
// The way //

Annexure-XI

S.C.Rly
Office of the Divl.Rly.Manager (P) BG/SC
No. CP/371/ELR

Dated: 15.9.93
16

LFs. DRR/ SC, KZJ DKJ EPA; ALFs RDM BLCR BIDR & SYI

Sub:- Revision of seniority list of Dsl./Elec.Assistants in
Gr.Rs. 950-1500/RS R P.

....

Arising out of the representations submitted by the directly recruited Dsl./Elec.Assistants to fix their seniority over the departmental candidates who were regularised as Dsl./Elec. Assistants after the absorption of direct recruits in the category and also for refixing the interse-seniority of the direct recruits based on the marks obtained by them at the end of the Initial training at STC/MLY, batch-wise, the matter has been examined in detail and the decision has been taken by the Competent Authority to recast the seniority list.

Accordingly, it is proposed to modify the provisional seniority list published as on 30.11.91 as indicated to the annexure. Sufficient copies of this letter along with the annexure are sent herewith for wide publicity, pasting on shed notice boards and notifying the concerned staff individually duly obtaining their signatures. A copy of acknowledgement may be sent to this office for record.

Objections to the above proposed, revision of seniority, if any, from the affected staff, should be collected and sent to this office on or before 30.9.93 certain, for consideration. If no representation is received by 30.9.93 the revision of the seniority as proposed in the Annexure will be taken as final.

Sd/---16.9.93
(B. Subba Rao)
Asst. Personnel Officer (M) BG/SC

C/. Sr.DEE/TRS/SC, Sr.DME(P)/SC, CPCCR, CTLC/SC, S/d-- 16.9.93
Vs. for IRM/P/SC/

//true copy//

TABLE SHOWING THE COMPARITIVE MERIT OF THE APPLICANTS AND PRIVATE RESPONDENTS WHICH HAS VARIED IN THE SENIORITY LISTS

Sl. No.	Applicant	List Dated				
		5.4.88 (I)	18.6.93 (II)	21.11.94 (III)	30.1.96 (IV)	14.5.96 (V)
Applicants						
1.	K.V.Unnikrishna		405	343	408	252
2.	B.H.S.Narayana	32	387	388	400	244
3.	B.Vivekanand	59	391	333	404	248
4.	Abdul Ayub Jani		414	337	418	256
5.	C.H.S.Narayana	26	377	358	390	234
6.	N.V.V.S.G.K.Murthy		408	344	412	262
Respondents						
1.	P.Anose		328	332	328	172
2.	C.D.A.Glower		229	351	329	173
3.	P.Sailesh		331	346	331	175
4.	C.H.V.Sridhar		332	394	332	176
5.	Sk.Md.Khajavalli		333	359	333	177
6.	K.Krishna Murthy		334	389	334	178
7.	D.Sreenivasa Rao		335	338	335	179
8.	G.E.R.Stewart		336	360	336	180
9.	T.Thirupathi Swamy		392	416	337	181
10.	T.R.Satish		415	410	338	182
11.	D.Sreenivas		337	355	339	183
12.	D.Ramakrishna		338	357	340	184
13.	P.Koteswara Rao		339	352	341	185
14.	D.Paul		340	348	342	186
15.	G.Ratnam		341	367	343	187
16.	Sk.Mastan		342	398	344	188
17.	Ab.Azeez		343	382	345	189
18.	K.Nageswara Rao		394	406	346	190
19.	Sk.J.Hussain		395	408	347	191
20.	T.N.V.S.Sekhar		344	368	348	192
21.	I.Venugopal		396	418	349	193
22.	G.MeherBabu		345	374	350	194
23.	G.Prakash Rao		397	417	351	195
24.	P.V.Seshaiah		346	383	352	196
25.	Ch.Pratap Kumar		398	413	353	197
26.	J.P.M.Dais		399	414	354	198
27.	D.Md.Vallibasha		400	415	355	199
28.	S.Sita Ramam		401	411	356	200
29.	M.V.K.Mohan		347	375	357	201
30.	C.H.S.R.C.Sekhar Rao		348	379	358	202

: 2 :

Sl. No.	Applicant	List Dated				
		5.4.88 (I)	18.6.93 (II)	21.11.94 (III)	30.1.96 (IV)	14.5.96 (V)
31.	N.Surapa Raju		349	369	359	203
32.	M.Venu		350	391	360	204
33.	N.R.Premchand		351	390	361	205
34.	G.Muralikrishna		352	400	362	206
35.	K.Anil Kumar		573	not mentioned	363	207
36.	P.V.Satyanarayana		353	396	364	208
37.	N.Dayakar		354	377	365	209
38.	G.Gopala Krishna Murthy		355	384	366	210
39.	D.Bensely		356	366	367	211
40.	P.Srinivasa Rao		357	397	368	212
41.	V.V.L.N.Murthy		359	380	370	214
42.	N.Arjuna Rao		360	401	371	215
43.	Sk.N.A.Jani		361	381	372	216
44.	Y.Babu Rao		416	409	373	217
45.	Ch.Naga Raju		417	407	374	218
46.	K.P.S.Narayana		362	403	375	219
47.	G.Sunanda Kumar		363	409	376	220
48.	B.Rama Krishna		364	378	377	221
49.	D.P.C.Rao	23	365	392	378	222
50.	U.Narasinga Rao	45	383	404	396	240

11/2/96

10/07

TELETYPE
DEPARTMENT OF TELECOMMUNICATIONS

Telegram
Issued at
On
At
Serial no.
No. of words

Office: HYDRABAD-16
Ref: AUDKUM-0200
Date: 02 AUG 77
Time: 19:03 HRS

15221

800
2

172

DELIVERY INSTRUCTIONS
NIL

TO
THE DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
NO 5-10-1003 1ST FLOOR
HACA MIRVAN OFF PUBLIC GARDENS
HYDRABAD 500004

SERVICE DELAYED ON PARTY RESPONDENTS O A NO 1445/77
NON AVAILABILITY OF ONE EMPLOYEE EXPECTED WEEK END YOUR
LETTER NO CAT/HYD/JUDL/O A 1445/77 DATED 07-07-77
SENIOR DIVISIONAL PERSONAL OFFICER
O C RAILWAY VIJAYAWADA

Office use only
COMPUTER CODE

*7020 0200 RDD AIDKUM EZ

U 1235 A4 VIJAYAWADA-SOR 02 054

0015-10-1003 1ST 500004 1445/77 1445/77 07-07-77===

AVJ00A0180
AVJ00R0107

350
4/8/79

RECEIVED
GENERAL SECRETARY
HYDRABAD OFFICE
4 AUG 1977
SECRETARY
GENERAL SECRETARY
HYDRABAD OFFICE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABADBENCH

AT HYDERABAD

M.A.NO. 988 OF 1997

in

O.A.NO. 2827 OF 1997

Between:

- 1.K.V.Unnin Krishnan, s/o.K.S.Velandi,
Aged 29 years, Goods driver, Rajahmundry,
East Godavari District.
- 2.Satyanarayana, s/o.Ramulu, A/30 yrs,
Goods driver, Bitragunta.
- 3.B.Vivekananda, s/o.B.Radhakrishnagupta,
A/29yrs, Goods Driver, r/o.Bitragunta.
- 4.Abdul Ayub Jani, s/o.Abdul Rahim,
A/28 yrs, Goods driver, Vijayawada.
- 5.Ch.Satyanarayana, s/o.Rosahaiah, Goods driver,
Rajahmundry, East Godavari District.
- 6.N.V.V.S.G.K.Murthy, s/o.N.S.Murthy,
A/29 yrs, goods driver, Rajahmundry,
East Godavari District.

...APPLICANTS

A n d

- 1.P.Anose, s/o.not known, goods driver,
CCC/L/BZA VITMAWADA
- 2.CDA Glower, s/o.not known, goods driver,
CCC/O/RJY. RAJAMUNDRI
- 3.P.Sailesh, s/o.not known, goods driver,
CCC/L/BZA VITMAWADA
- 4.CH.V.Sridhar, s/o.not known, goods driver,
CCC/TRO/BZA Do -
- 5.SK MD.Khaja Vali, s/o.not known,
CCC/L/BZA Do -
- 6.D.S.K.Krishna Murthy, s/o.not known,
goods driver, CCC/TRO/BZA Do -
- 7.D.Srinivasa Rao, s/o.not known,
goods driver, CCC/TRO/BZA Do -
- 8.T.E.R.Stewart s/o.not known, goods driver,
CCA/TRO/BZA Do -
- 9.T.Tirupathi Swamy, s/o.not known, goods driver,
CCC/TRO/BZA Do -
- 10.T.R.Satesh, s/o.not known, goods driver,
CCC/TRO/BZA Do -
- 11.D.Srinivas, s/o.not known, goods driver,
CCC/TRO/BZA Do -
- 12.D.Ramakrishna, s/o.not known, goods driver,
CCC/TRO/BZA Do -
- 13.P.Koteswara Rao, s/o.not known, goods driver,
CCC/TRO/BZA. Do -

14. D.Paul, s/o.not known, goods driver,
CCC/TRO/BZA UJAMAWADA
15. G.Ratnam, s/o.not known, goods driver,
CCC/TRO/BZA Do -
16. SK.Mastan, s/o.not known, goods driver,
CCC/TRO/BZA Do -
17. Ab.Azeez, s/o.not known, goods driver,
CC/O/BTTR BITRAMUNTA
18. K.Nageswara Rao, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDY
19. SK.J.Hussain, s/o.not known, goods driver,
CCC/O/RJY Do -
20. T.N.V.Sekhar, s/o.not known, goods driver,
CC/O/BTTR BITRAMUNTA
21. D.Venugopal, s/o.not known, goods driver,
CC/O/BTTR Do -
22. G.Meher Babu, s/o.not known, goods driver,
CC/O/BTTR Do -
23. G.Prahasa Rao, s/o.not known, goods driver,
CC/O/BTTR Do -
24. P.V.Seshaiah, s/o.not known, goods driver,
CC/O/BTTR Do -
25. Ch.Pratap Kumar, s/o.not known, goods driver,
CC/O/BTTR Do -
26. J.P.M.Dais, s/o.not known, goods driver,
CC/O/BTTR Do -
27. S.Sita Ramam, s/o.not known, goods driver,
CC/O/BTTR Do -
28. D.Md.Vali Basha, s/o.not known, goods driver,
CC/O/BTTR Do -
29. M.V.R.Mohan, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDY
30. CH.S.R.C.Sekhar Rao, s/o.not known, goods driver,
CCC/O/RJY Do -
31. N.Surapa Raju, s/o.not known, goods driver,
CCC/O/RJY Do -
32. M.Venu, s/o.not known, goods driver,
CCC/O/RJY Do -
33. N.R.Premchand, s/o.not known, goods driver,
CCC/O/RJY Do -
34. G.Murali Krishna, s/o.not known, goods driver,
CCC/O/RJY Do -
35. K.Anil Kumar, s/o.not known, goods driver,
CCC/O/RJY Do -
36. P.V.Satyanarayana, s/o.not known, goods driver,
CCC/O/RJY Do -
37. N.Dayakar, s/o.not known, goods driver,
CC/O/BTTR BITRAMUNTA
38. G.Gopala Krishna Murthy, s/o.not known, goods driver,
CCC/O/RJY RATAMUNDY

39. D.Bensely, s/o.not known, goods driver,
CC/O/BTTR *BUTRANTA*
40. P.Srinivasa Rao, s/o.not known, goods driver,
CCC/O/RJY *RAJAMUNDRI*
41. V.V.L.N.Murthy, s/o.not known, goods driver,
CCC/O/RJY *"*
42. N.Arjuna rao, s/o.not known, goods driver,
CCC/O/RJY *"*
43. SK.N.A.Jani, s/o.not known, goods driver,
CCC/O/BTTR *BUTRANTA*
44. Y.Babu Rao, s/o.not known, goods driver,
CCC/O/RJY *RAJAMUNDRI*
45. Ch.Naga Raju, s/o.not known, goods driver,
CCC/O/RJY *-Dc-*
46. K.P.S.Narayana, s/o.not known, goods driver,
CCC/O/RJY *-Dc-*
47. G.Sunanda Kumar, s/o.not known, goods driver,
CCC/O/RJY *-Dc-*
48. B.Ramakrishna, s/o.not known, goods driver
CCC/O/RJY *-Dc-*
49. D.P.C.Rao, s/o.not known, goods driver,
CCC/O/RJY *-Dc-*
50. N.Narasinga Rao, s/o.not known, goods driver,
CCC/O/RJY *-Dc-*
51. General Manager, South Central Railway,
Rail Nilayam, Secunderabad.
52. Chief Personnel Officer, South Central Railway,
Rail Nilayam, Secunderabad.
53. The Divisional Railway Manager,
Vijayawada Division, South Central
Railway, Vijayawada.
54. The Senior Divisional Personal Officer,
Vijayawada Division, South Central Railway,
Vijayawada.
55. The Assistant Personal Officer (Mechanical)
South Central Railway, Vijayawada.

...RESPONDENTS

PETITION UNDER SEC.4(5) (A) OF ADMINISTRATIVE TRIBUNALS ACT,1985

The applicants have filed this O.A. against the action of the authorities in determining the seniority based upon the results of the R.R.B and not the test conducted at the Zonal Training Centre, Lalaguda.

2. It is submitted that all the applicants have been recruited pursuant to the Employment Notice of the RRB 1/85.

All the private respondents have also been recruited by the R.R.B in the same manner. All the applicants have been working in the Vijaywada Division, South Central Railway and are under the same controlling authority ie., the Divisional Railway Manager, Vijayawada. All the applicants have protested against the action of the authorities in 1993 for preparing the seniority list based upon the Railway Recruitment Board Marks and all the applicants have been beneficiaries of that Revision of the Seniority list. Later all the applicants have been affected by the impugned action of the authorities ignoring the Zonal Training Centre performance.

3. It is submitted that all the applicants are similarly placed and are seeking same relief and all of them are interested to contest this case unitedly.

4. It is, therefore prayed that it is just and necessary that this Hon'ble Tribunal may be pleased to permit the applicants herein to file a single O.A. to meet the ends of justice.

Signature of the Applicants.

1 *[Signature]*

2 Ch. Satyanarayana

3 B. Veerannaiah

4 *[Signature]*

5 Ch. Satyanarayana

[Signature]
COUNSEL FOR
Applicant

VERIFICATION

We, the above applicants ^{and} do hereby declare

that the contents stated above in paragraphs 1 to 4 are true to the best of our knowledge, belief and information.

1 *[Signature]*

2 Ch. Satyanarayana

3 B. Veerannaiah

TO file a single A.

DISTRICT :: KRISHNA

IN THE HON'BLE CENTRAL ADMINISTRATIVE
TRIBUNAL :: BENCH AT HYDERABAD

M.A.NO.	OF 1997
in	
O.A.NO.	OF 1997

PETITION U/SEC.4(5)(A) OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985



Filed by:

Sri K.S.Murthy,

Counsel for the Applicants.

Hand for Secy
M
28/9/97

May

28/10/97

पूरा/ORIGINAL

Mr. K.S. Murthy, for
the applicant and
Mr. Phalguna Rao for
Mr. J.R. Gopala Rao, for
the respondent.

रेलवे/RAILWAY बेंच केस/BENCH CASE

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

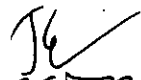
M.A. No. 988 OF 1997

IN

O.A. No. 3385 OF 1997

MA is not opposed.
Under the circumstances
referred to the MA is
allowed. Register the

OA.


H.B.S.V.P.
M.G.


H.R.N.
M(A)

SINGLE O.A. PETITION

Mr. K.S. Murthy
COUNSEL FOR THE APPLICANT.

AND

Mr. _____
Sr. ADDL. STANDING COUNSEL FOR
C.G. Rlys.

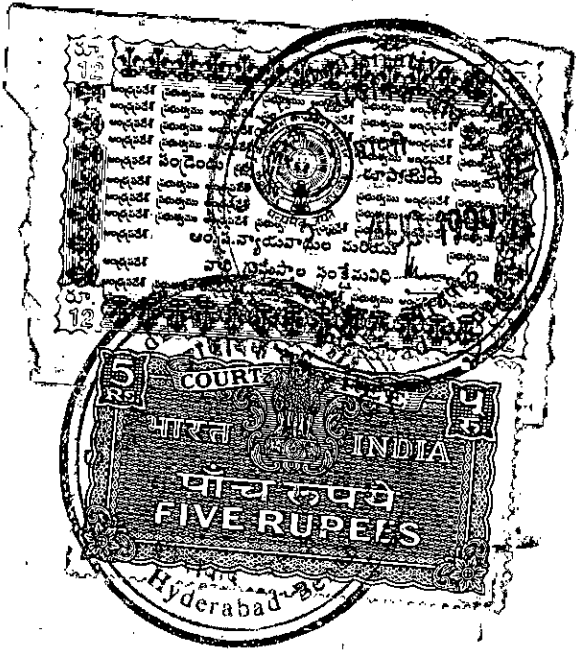
Fairlist case on tomorrow
is on, 3/8/99 before the 2nd
Court

Krishna DISTRICT

**In The Central
Administrative Tribunal
HYDERABAD**

O.A. : No.

1445 of 1997.



VAKALAT

ACCEPTED

No
for
Advocate for
Gire -

Advocate for ~~Applicant~~ Respondent No. 9.
1, 4, 5, 6, 8, 9, 11, 12, 14, 15, 16, 17, 20, 21, 23, 27,
30, 32, 36, 37, 38, 40, 46.

Date... *2/8/*.....1997.

**M/s. N. RAMA MOHANA RAO
K.S.V. SUBBA RAO
ABHINAND K. SHAVILI &
SIVA**

Advocate for & Rs.

In the Central Administrative Tribunal
HYDERABAD

O. A. No.: 1445 of 1997

Between

K.V. Unninn Krishnan & 50 others

Applicant →

P. Anose and others

AND



Respondent →

We ✓

The undersigned

~~Applicant~~

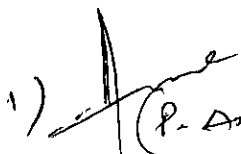
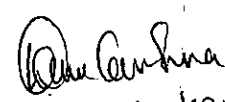
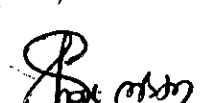
Respondent NOS,

1, 4, 5, 6, 8, 9, 11, 12, 14, 15, 16, 17, 20, 21, 23, 27, 30, 36, 37, 38, 39, 40, 46.

do hereby appoint and retain

**M/s. N. Rama Mohana Rao
K.S.V. Subba Rao
Abhinand K. Shavili &
Siva**

Advocates to appear for me/us in the above case/appeal/petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein, I/we empower my/our, Advocates to appear in all miscellaneous proceedings in the above case/matter till all decree or orders are fully satisfied or adjusted to compromise and to obtain the return of documents and draw any moneys that might be payable to me/us in the said case or matter (and I/we do further empower my/us Advocates to accept on my/our behalf service of all or any appeals or petitions filed in any court of Appeal, reference or Revision with regard said suit or matter before the disposal of the same in this Honourable Court)

- 1)  (P. Anos) (R-1) ✓
- 2)  (D. RAMA KRISHNA) (R-12) ✓ [T. TIRUPATI SWAMY] (R-30) ✓
- 3) N. Dayakar (R-37) ✓ [M. VENU] (R-16) ✓
 (SH. MASTAN)

- 4) Dene
(D. VENU GOPAL) (R-21) ✓ Abdul Aziz
(ABDUL AZEEZ) (R-17) ✓
- 5) G.G.K. MURTHY (R-38) ✓ Chaggegow
(CHAGGEOW) (R-30) ✓
- 6) makky
(K. K. N. MURTHY) (R-6) ✓ K.P.S. Narayana
(K.P.S. NARAYANA) (R-46) ✓
- 7) C.V. Sridhar
(C.V. SRIDHAR) (R-4) ✓ P.V.S. Narayana
(P.V.S. NARAYANA) (R-36) ✓
- 8) G. PRAKASH RAO (R-23) ✓ Durga
(D. MOHAMED VALI BASHA) (R-27) ✓
- 9) Sk. MD. KADAVALLI (R-5) ✓
- 10) J. GREENIVAS RAO (R-40) ✓
- 11) T.E.R. STEWART (R-8) ✓
12. G. RATNAM (R-15) ✓
- 13) T.N.V.S. SEKHAR (R-20) ✓
- 14) D. SRINIVAS (R-11) ✓
- 15, DEBASHISH PAUL (R-14) ✓

Certified that the executant who is well acquainted with English and this Vakalatnama and the contents of the Vakalatnama were read out explained in Telugu/English/Urdu to executant or he/she they being unacquainted with English who appeared perfectly to understand the same and signed or put his/her/their name or mark in my presence.

Executed

30th

day of

July

1999

Advocate, Hyd

(P. Prashanth Rao)

Served

RR 2, 3, 7, 10, 18, 19, 24, 25
28, 29, 31, 34, 35, 39
41, 49, 50

NSWR

RR 22, 26, 33, 42
43, 44, 45, 47,
48

R 13 Expired

RR 1, 4, 5, 6, 8, 9, 11, 12, 14, 15, 17
20, 21, 23, 27, 30, 32, 36, 38
40, 46

Packet filed
by Mr. NSWR Co
Att

RR 51 6 58

Depot

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

TO BE HEARD ON TUESDAY THE 20th DAY OF JULY, 1999

AT 2.15.P.M.

THE HONOURABLE MR.JUSTICE.D.H.NASIR : VICE-CHAIRMAN
AND

THE HONOURABLE MR.H.KAJENIRA PRASAD : MEMBER (ADMN)

...
(SITTING IN THE I COURT).

FOR JUDGMENT.

- | | | |
|---------------|-----------------------|---|
| 1. OA.1599/97 | K.Somaraju
Defence | Mr.V.Venkateshwara Rao
Mr.V.Rajeshwara Rao, Addl.CGSC. |
| 2. OA.578/99 | D.Valimma
Rlys. | Mr.S.Rama Krishna Rao
Mr.D.F.Paul, SC.for Rlys. |
| 3. OA.601/99 | Smt N.Aruna
Rlys. | Mr.M.Veeresham
Mr.D.F.Paul, SC.for Rlys. |

FOR ADMISSION.

- | | | |
|----------------------|---------------------------------|---|
| 4. OA.771/99
NBA. | GL.Narayana Reddy
Cen.Excise | Mr.N.R.Devaraj
Mr.K.Narahari, Addl.CGSC.
R-1-Served, RR-2&3-NSNR. |
| 5. OA.362/99
NBA. | S.Basheer Ahmed
Cen.Excise | Mr.N.R.Devaraj
Mr.B.Narasimha Sharma, Sr.CGSC.
RR-1 to 3-NSNR. |
-

By RPAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD
1ST FLOOR, HACA BHAVAN, OPP. PUBLIC GARDENS, HYDERABAD-500 004.

BY RPAD.

NOTICE FOR APPEARANCE IN OA.1445 OF 97.

Between

K.V.Unnin Krishnan & 5 Others. ...

And

1. P.Bose, Goods Driver,
CCC/L/BZA, Vijayawada
& 54 Others. ...

Dated: 14.9.1999.

Applicants

Respondents

To

The Deputy Chief Personnel Officer, (Mechanical),
South Central Railway,
Rail Nilayam,
Secunderabad.

Whereas the above Original Application filed by the said Applicants came up for final hearing on 10.9.1999 and the Hon'ble Bench by its order dated 10.9.1999 (copy enclosed) directed you to be present from the Head Office in the Court at 10.30.A.M. on 15.9.1999 fully prepared.

Therefore you are hereby directed to take notice of the aforesaid order and present in person before the Hon'ble Bench of this Tribunal on 15.9.1999 at 10.30.A.M. fully prepared, without fail.

// BY ORDER //

Encl: As above

Deputy Registrar.



21/9/99
14/9/99
C.L.A.
S.C.R./sc.

12/9/99
14/9/99

48. B. Ramakrishna, Goods Driver, CCC/O/RJY/Rajahmundry
49. DPC. Rao, Goods Driver, CCC/O/RJY/Rajahmundry
50. V. Narasingarao, Goods Driver, CCC/O/RJY/Rajahmundry
51. General Manager South Central Rly, Railnilayam, Sec'bad.
52. The Chief Personal Officer, SC Rly, Railnilayam, Sec'bad.
53. The Divisional Rly Manager, Vijayawada Division, SC Rly
Vijayawada.
54. The Sr. Divisional Personal Officer, Vijayawada Division
SC Rly, Vijayawada.
55. The Asst. Personal Officer (Mechanical) SC Rly, Vijayawada.

... Respondents.

Counsel for the Applicants

... KS. Murthy

Counsel for the Respondents

... JR. Gopal Rao,
Addl. CGSC

... N. Ramamohan Rao

CORAM:

THE HON'BLE MR. R. RANGARAJAN: MEMBER (ADMN)

THE HON'BLE MR. B. S. J. PARAMESHWAR: MEMBER (JUDL)

THE TRIBUNAL MADE THE FOLLOWING ORDERS:

THE dy. Chief Personnel Officer (Mechanical) from
the Head Office should be present in the Court at 10.30 AM
on 15-9-99. He should come fully prepared.

Sd/-xxxx

Section Officer.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH:HYDERABAD:

CA.NO.1445/1997

Date:10-9-99

Between

1. KV. Unnin Krishnan
2. Satyanarayana
3. B.Vivekananda
4. Abdul Ayub Jani
5. CH.Satyanarayana
6. NVVS.G.K.Murthy

...Applicants

And

1. P.Anose, Goods Driver, CCC/L/BZA, Vijayawada.
2. CDA Glower, Goods Driver, CCC/O/RJY, Rajahmundry
3. P.Salelesh, Goods Driver, CCC/L/BZA, Vijayawada.
4. CH.V.Sridhar, Goods Driver, CCC/TRO/BZA, Vijayawada.
5. SK.MD.Khaja Vali, CCC/L/BZA, Vijayawada.
6. DSK.Krishna Murthy, Goods Driver, CCC/TRO/BZA, Vijayawada.
7. D.Srinivas Rao, Goods Driver, CCC/TRO/BZA, Vijayawada
8. T.E.R.S.Stewart, Goods Driver, CCA/TRO/BZA/, Vijayawada
9. T.Titupati Swamy, Goods Driver, CCC/TRO/BZA, Vijayawada.
10. TR.Satish, Goods Driver, CCC/TRP/BZA, Vijayawada
11. D.Srinivas, Goods Driver, CCC/TRO/BZA, Vijayawada.
12. D.Ramakrishna, Goods Driver, CCC/TRO/BZA, Vijayawada
13. P.Koteswararao, Goods Driver, CCC/TRO/BZA, Vijayawada
14. D.Paul, Goods Driver, CCC/TRO/BZA, Vijayawada
15. G.Ratnam, Goods Driver, CCC/TRO/BZA, Vijayawada.
16. SK.Mastan, Goods Driver, CCC/TRO/BZA, Vijayawada
17. Ab.Azeez, Goods Driver, CCC/O/BTTR, Bitragunta
18. K.Nageswararao, Goods Driver, CCC/O/RJY, Rajahmundry
19. SK.J.Hussain, Goods Driver, CC/O/RJY, Rajahmundry
20. TNV.Sekhar, Goods Driver, CC/O/BTTR, Bitragunta
21. D.Venugopal, Goods Driver, CC/O/BTTR, Bitragunta
22. G.Mehar Babu, Goods Driver, CC/O/BTTR, Bitragunta
23. G.Prakasha Rao, Goods Driver, CC/O/BTTR, Bitragunta
24. PV.Seshaiah, Goods Driver, CC/O/BTTR, Bitragunta
25. CH.Pratapakumar, Goods Driver, CC/O/BTTR, Bitragunta
26. JPM.Dais, Goods Driver, CC/O/BTTR, Bitragunta
27. D.Md.Vali Basha, Goods Driver, CC/O/BTTR, Bitragunta
28. S.Sitaramana, Goods Driver, CC/O/BTTR, Bitragunta
29. MVR.Mohan, Goods Driver, CCC/O/RJY, Rajahmundry
30. CH.S.RC.Sekhar Rao, Goods Driver, CCC/O/RJY, Rajahmundry
31. N.Surapa Raju, Goods Driver, CCC/O/RJY/Rajahmundry
32. M.Venu, Goods Driver, CCC/O/RJY/Rajahmundry
33. NR.Premnand, Goods Driver, CCC/O/RJY, Rajahmundry
34. G.Muralikrishna, Goods Driver, CCC/O/RJY/Rajahmundry
35. A.Anil Kumar, Goods Driver, CCC/O/RJY/Rajahmundry
36. PV.Satyanarayana, Goods Driver, CCC/O/RJY/Rajahmundry
37. N.Dayakar, Goods Driver, CC/O/BTTR/Bitragunta
38. G.Gopala Krishna Murthy, Goods Driver, CC/O/BTTR/RJY/Rajahmundry
39. D.Bensely, Goods Driver, CC/O/BTTR/Bitragunta
40. P.Srinivasrao, Goods Driver, CC/O/RJY, Rajahmundry
41. VVLN.Murthy, Goods Driver, CCC/O/RJY/Rajahmundry
42. N.Arjunarao, Goods Driver, CCC/O/RJY/Rajahmundry
43. SK.N.A.Jani, Goods Driver, CCC/O/BTTR/Bitragunta
44. Y.Baburao, Goods Driver, CCC/O/RJY/Rajahmundry
45. CH.Nagaraju, Goods Driver, CCC/O/RJY/Rajahmundry
46. KPS.Narayana, Goods Driver, CCC/O/RJY/Rajahmundry
47. G.SunanandaKumar, Goods Driver, CCC/O/RJY, Rajahmundry

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